

FEDERAL REGISTER

VOLUME 20

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Washington, Thursday, March 3, 1955

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 1—GENERAL REGULATIONS

MUFFLER CUT-OUTS

Section 1.50 *Muffler cut-outs* is amended to read as follows:

§ 1.50 *Muffler cut-outs.* Every motor vehicle operated in the parks or monuments shall be equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 24th day of February 1955.

CLARENCE A. DAVIS,
Acting Secretary of the Interior

[F. R. Doc. 55-1814; Filed, Mar. 2, 1955;
8:47 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

PART 131—HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

SUBPART—RULES AND REGULATIONS OF THE CONTROL AGENCY

MISCELLANEOUS AMENDMENTS

Pursuant to the provisions of the order, as amended, regulating the handling of anti-hog-cholera serum and hog-cholera virus (9 CFR 131.1 et seq., 20 F. R. 849) approval is hereby given to the amendment of the rules and regulations of the Control Agency, set forth below, issued on February 16, 1955, by the Control Agency pursuant to the provisions of the aforesaid order. Such amendment shall become effective 30 days after its publication in the FEDERAL REGISTER.

The amendment was adopted by the Control Agency after notice of proposed amendment published in the FEDERAL REGISTER on January 29, 1955 (20 F. R. 654) and due consideration of the data, views and arguments presented by interested parties in writing and at the Control Agency meeting of February 16, 1955.

Copies of the rules and regulations, as amended, may be procured from the Control Agency, Office of the Executive Secretary, 512 Veterans of Foreign Wars Building, Kansas City 11, Missouri.

Done at Washington, D. C., this 25th day of February 1955.

[SEAL] M. R. CLARKSON,
Acting Administrator
Agricultural Research Service.

On January 29, 1955, a notice of proposed rule making was published in the FEDERAL REGISTER (20 F. R. 654) regarding proposed amendment of the rules and regulations of the Control Agency (9 CFR Part 131) which notice extended to all interested parties the opportunity to submit written data, views and arguments in connection therewith.

After consideration of all relevant matters presented, including the proposed amendment to the rules and regulations set forth in the aforesaid notice, the following amendment to the rules and regulations of the Control Agency is hereby promulgated by the Control Agency

The amendment is as follows:

1. Delete the words "512 Porter Building" contained in §§ 131.201 and 131.242 and substitute therefor the words "512 Veterans of Foreign Wars Building"

2. Wherever the words "serum and virus" occur in §§ 131.211, 131.212, 131.214, 131.215, 131.225, 131.226, 131.230, 131.231, and 131.241, delete the word "and" therefrom and substitute therefor the word "or"

3. Amend § 131.223 to read as follows:

§ 131.223 *Specified quantities.* The term "specified quantities" as used in § 131.8 (b) means: (a) 15,000,000, or more, cubic centimeters of serum and 1,000,000, or more, cubic centimeters of virulent virus; or (b) such quantity of virus necessary to vaccinate not less than 500,000 swine in accordance with the manufacturer's true container label recommendation.

4. Add new § 131.232 *Who resell principally to dealers* to read as follows:

§ 131.232 *Who resell principally to dealers.* The term "who resell principally to dealers" contained in §§ 131.8

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and 131.211 means not less than 75 percent of the handler's total sales of serum and virus shall be made to dealers. Such handler shall be a bona fide whole- saler of other products handled by him for the treatment of animals and poultry.	
5. Amend § 131.242 as follows:	
a. In the first paragraph of the appli- cation form, delete the words "under BAI Order 361" in all other instances where the words "BAI Order 361" ap- pear in the application form delete the words "BAI Order 361" and substitute	

therefor the words "the Marketing Order as amended"

b. In Question 2 (c) following the word "Corporation" add the words "(list the officers and name state of incorporation)"

c. In Question 17 delete the words "Department of Agriculture, Bureau of Animal Industry" and substitute therefor the words "U. S. Department of Agriculture"

d. In the paragraph entitled "Applicant's Back Ground" Question 5 delete the words "Virus ---- cc's" and substitute therefor the words "Virulent Virus ---- cc's, Inactivated Virus ---- doses, Modified Virus which must be used with serum ---- doses, Modified Virus which may be used without serum ---- doses"

e. In the paragraph entitled "Storage Facilities" Question 2 delete the words "Virus ---- cc's" and substitute therefor the words "Virulent Virus ---- cc's, Inactivated Virus ---- doses, Modified Virus which must be used with serum ---- doses, Modified Virus which may be used without serum ---- doses"

f. In the paragraph entitled "Storage Facilities" Question 3 delete the words "Virus ---- cc's" and substitute therefor the words "Virulent Virus ---- cc's, Inactivated Virus ---- doses, Modified Virus which must be used with serum ---- doses, Modified Virus which may be used without serum ---- doses"

g. In the paragraph entitled "Shipping Facilities" delete Question 4 and substitute therefor the words:

4. Do you now pay shipping charges on serum and virus sold to your customers? ----

h. In the paragraph entitled "Shipping Facilities" delete Question 5 and substitute therefor the words:

5. Does your supplier drop ship for you? ----

1. At the end of the application form add the following:

[Any false, fictitious or fraudulent statement or representation on this form may subject the maker thereof to a fine of not more than \$10,000.00 or imprisonment of not more than 5 years, or both. (18 U. S. C. 1001.)]

6. Amend § 131.227 by adding the following sentence at the end thereof: "The price applicable to a particular sale shall be the seller's posted price at the time of the delivery of the product sold."

7. Delete § 131.251 and substitute therefor the following §§ 131.251 and 131.252:

§ 131.251 *Filing of price list.* All price lists shall be filed with the office of the Executive Secretary on the form prescribed in § 131.252: *Provided, however* That the handlers filing price lists by telegram shall confirm the telegram by mailing on the same date the properly signed form of price list as prescribed in § 131.252.

§ 131.252 *Form of price list.*

POSTED PRICES

No. -----

In accordance with the provisions of the approved Marketing Agreement and Order, as amended, regulating the handling of anti-hog-cholera serum and hog-cholera virus, the undersigned files this price list and re-

spectfully represents to the Secretary of Agriculture, the control agency and all other handlers that, during the period this price list is in effect, all serum and virus sold by the undersigned to buyers in the classes named herein will be at the following prices, discounts and terms of sale at time of delivery, it being understood that the term "time of delivery" means the time when physical possession of the products sold is surrendered by the undersigned to the buyer or to a carrier for and on behalf of the buyer.

Product	Price	Terms of sale and discounts
Consumers—owners of swine:		
Serum.....	-- per 100 cc.....	
Virulent virus.....	-- per 100 cc.....	
Inactivated virus.....	-- per dose.....	
Modified virus:		
Must be used with serum ¹	-- per dose.....	
May be used without serum ¹	-- per dose.....	
Dealers:		
Serum.....	-- per 100 cc.....	
Virulent virus.....	-- per 100 cc.....	
Inactivated virus.....	-- per dose.....	
Modified virus:		
Must be used with serum ¹	-- per dose.....	
May be used without serum ¹	-- per dose.....	
Wholesalers:		
Serum.....	-- per 100 cc.....	
Virulent virus.....	-- per 100 cc.....	
Inactivated virus.....	-- per dose.....	
Modified virus:		
Must be used with serum ¹	-- per dose.....	
May be used without serum ¹	-- per dose.....	

¹ The prices quoted are in accordance with the type as identified by the recommendations of the manufacturer as shown on the true container label of the product.

Where prices, terms of sale and discounts are omitted from this list with respect to any of the above classes of buyers, undersigned states that he makes no sales to such classes.

Signed -----

By -----

P. O. address -----

8. Add new § 131.261 to read as follows:

§ 131.261 *Reports of sales and inventories.* Each producer handler shall make reports to the Chief, Animal Inspection and Quarantine Branch, United States Department of Agriculture, Washington, D. C., on forms prescribed by him, showing his monthly sales and inventories of serum and virus.

9. Amend § 131.226 by deleting "§ 131.251" contained therein and substituting therefor "§ 131.252"

(49 Stat. 781-782; 7 U. S. C. 851-855)

Dated this 16th day of February 1955.

CONTROL AGENCY,

[SEAL]

TRUE DAVIS, Jr.,

Chairman.

[F R. Doc. 55-1846; Filed, Mar. 2, 1955; 8:54 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix C—Public Land Orders

[Public Land Order 1077]

WYOMING

REVOKING CERTAIN EXECUTIVE ORDERS

By virtue of the authority vested in the President by section 1 of the act of

June 25, 1910 (36 Stat. 847; 43 U. S. C. 141) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Executive Orders No. 4857 of April 16, 1928, No. 5040 of February 4, 1929, and No. 5480 of November 13, 1930, which together withdrew the public lands in the following-described areas, not otherwise withdrawn, for classification and in aid of legislation, or for elk refuge purposes, are hereby revoked:

SIXTH PRINCIPAL MERIDIAN

T. 41 N., R. 116 W.,
T. 42 N., Rs. 115, 116, and 117 W.
T. 43 N., Rs. 115 and 116 W.
T. 44 N., Rs. 113, 114, 115, and 116 W.
T. 45 N., Rs. 113 and 114 W.

Portions of the areas described have been included in the National Elk Refuge or the Grand Teton National Park. The remaining lands included in the revocation made by this order are described as follows:

SIXTH PRINCIPAL MERIDIAN

T. 42 N., R. 116 W.,
Sec. 2, lot 4;
Sec. 20, lots 1 and 4;
Sec. 21, lots 3 and 4 (patented)
Sec. 28, lot 1 (patented)
Sec. 29, lot 3;
Sec. 32, lots 1 to 7, inclusive.
T. 42 N., R. 117 W.,
Sec. 26, lots 1 to 4, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 35, lots 1 to 4, inclusive.
T. 41 N., R. 116 W.,
Sec. 4, lot 5;
Sec. 5, lots 1 and 2;
Sec. 6, lot 6;
Sec. 7, lots 1 and 3;
Sec. 18, lot 1 and SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 28, W $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 29, E $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 30, E $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 33, N $\frac{1}{2}$ NW $\frac{1}{4}$.

The areas described aggregate 1,741.99 acres.

Portions of the lands in secs. 18, 19, 28, 29, 32, and 33, T. 41 N., R. 116 W., are within a phosphate reserve.

Lots 3 and 4, sec. 21, and lot 1, sec. 28, T. 42 N., R. 116 W., have been patented.

The lands are all located from eight miles to as little as $\frac{1}{2}$ mile from the Town of Jackson, Wyoming. Those nearest the Town have value for business or residential purposes. Some of the lands are difficult of access due to topography. The greater portion have value for grazing purposes.

No application for the released lands may be allowed under the homestead, desert-land, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

This order shall not otherwise become effective to change the status of the released lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall become subject to application, petition, location and selection, subject to valid existing rights,

the provision of existing withdrawals, the requirements of applicable laws, and the 91-day preference-right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747-43 U. S. C. 279-284) as amended.

Veterans' preference-right applications under the act of September 27, 1944 (58 Stat. 747-43 U. S. C. 279-284) as amended, may be filed on or before 10:00 a. m., on the 35th day after the date of this order, and those covering the same lands shall be treated as though simultaneously filed at that time. Applications filed under the act after that time and during the succeeding 91 days shall be considered in the order of filing. Applications by the general public under the public-land laws, filed on or before 10:00 a. m., on the 126th day after the date of this order shall be treated as though simultaneously filed at that time, where the applications are for the same lands; otherwise, priority of filing shall govern.

Inquiries, regarding the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Cheyenne, Wyoming.

FRED G. AANDAHL,
Assistant Secretary of the Interior

FEBRUARY 25, 1955.

[F. R. Doc. 55-1809; Filed, Mar. 2, 1955;
8:45 a. m.]

[Public Land Order 1078]

NORTH DAKOTA

WITHDRAWING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE ARMY IN CON- NECTION WITH THE GARRISON DAM AND RESERVOIR PROJECT

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described areas in North Dakota are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, except as hereinafter indicated, and reserved for use in connection with the Garrison Dam and Reservoir Project, North Dakota, under the supervision of the Department of the Army as authorized by the Flood Control Act of December 22, 1944 (58 Stat. 887, 897)

FIFTH PRINCIPAL MERIDIAN

T. 148 N., R. 82 W.,
Sec. 29, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 32, Lot 1.
T. 148 N., R. 83 W.,
Sec. 13, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 146 N., R. 84 W.,
Sec. 6, Lot 12.
T. 147 N., R. 84 W.,
Sec. 10; Lot 5.
T. 148 N., R. 85 W.,
Sec. 30, Lot 3.
T. 147 N., R. 93 W.,
Sec. 34, Lots 1, 2, 3, 4 and unsurveyed accretions thereto.
T. 153 N., R. 93 W.,
Sec. 6, unsurveyed accretion in front of Lots 7, 8;

Sec. 7, unsurveyed accretion in front of Lots 1, 2, 3;
Sec. 8, Lots 2, 4 and unsurveyed accretion thereto.
Sec. 17, unsurveyed accretion in front of Lot 7;
Sec. 19, unsurveyed accretion in front of Lots 3, 4, 7;
Sec. 20, unsurveyed accretion in front of Lots 1, 2;
Lots 3, 4, 5;
Sec. 26, Lots 1, 2, 3, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 27, unsurveyed accretion in front of Lot 7;
Sec. 29, unsurveyed accretion in front of Lots 4, 5;
Sec. 34, unsurveyed accretion in front of Lot 1;
Sec. 35, Lots 1, 2, E $\frac{1}{2}$ NE $\frac{1}{4}$, unsurveyed accretion in front of Lots 4, 5.
T. 147 N., R. 94 W.,
Sec. 20, Lot 4;
Sec. 28, Lot 1.
T. 153 N., R. 94 W.,
Sec. 1, unsurveyed accretion in front of Lot 7;
Sec. 2, Lot 3;
Sec. 3, Lots 1, 2, 4;
Secs. 2, 3, 4, 9, 10, unsurveyed portions, consisting of island in Missouri River.
T. 154 N., R. 94 W.,
Sec. 23, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 28, unsurveyed accretion in front of Lots 1, 2, 3, 4;
Sec. 29, unsurveyed accretion in front of Lots 1, 2, 3, 4 and 5;
Sec. 30, unsurveyed accretion in front of Lot 3;
Sec. 33, unsurveyed accretion in front of Lots 2, 3;
Sec. 34, Lots 1 and 2;
Sec. 35, Lot 2;
Secs. 27, 33, 34, 35, unsurveyed portions, consisting of island in Missouri River.
T. 148 N., R. 95 W.,
Sec. 31, Lots 2, 4, 5 and unsurveyed accretions thereto.
Sec. 34, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 154 N., R. 95 W.,
Sec. 17, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 25, unsurveyed accretion in front of Lots 1, 2, 3, 4;
Sec. 26, unsurveyed accretion in front of Lots 5, 6, 7;
Sec. 27, unsurveyed accretion in front of Lots 4, 5, 6;
Sec. 28, unsurveyed accretion in front of Lots 1, 2;
Sec. 29, Lot 1 and unsurveyed accretion thereto. Lot 2, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 30, Lots 3, 4, 5, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 31, Lot 1;
Sec. 32, Lots 3, 4.
T. 154 N., R. 96 W.,
Secs. 25 and 26, unsurveyed island in Missouri River;
Sec. 27, Lot 4;
Sec. 30, unsurveyed accretion in front of Lots 3, 4.
T. 154 N., R. 97 W.,
Sec. 21, unsurveyed accretion in front of Lots 1, 2, 3;
Sec. 22, unsurveyed accretion in front of Lots 2, 3; Lots 4, 5, 6, 7, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 23, Lots 2, 7 and unsurveyed accretions thereto. Lots 3, 5;
Sec. 27, Lot 1;
Sec. 28, unsurveyed accretions in front of Lots 1, 7; Lots 4, 5, 6 and unsurveyed accretion thereto.
Sec. 29, unsurveyed accretion in front of Lots 5, 6, 7, 8;
Sec. 30, unsurveyed accretion in front of Lots 7, 8.
T. 153 N., R. 98 W.,
Sec. 2, unsurveyed accretion in front of Lot 7;

Sec. 11, Lots 2 and 3; Lots 5, 8 and unsurveyed accretions thereto. Unsurveyed accretions in front of Lots 1, 4, 7;
Sec. 13, N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
Sec. 14, Lots 1, 4, 5, 8 and unsurveyed accretion thereto. Unsurveyed accretion in front of Lots 2, 3, 6, 7;
Sec. 21, Lots 1, 2, 3 and unsurveyed accretions thereto. Lots 5, 6, 7;
Sec. 22, Lots 1, 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, unsurveyed accretion in front of Lots 4, 5; Lot 2 and unsurveyed accretion thereto;
Sec. 23, Lots 1, 4, 5, 6, 7 and unsurveyed accretions thereto. N $\frac{1}{2}$ SW $\frac{1}{4}$, unsurveyed accretions in front of Lots 2, 3, 8;
Sec. 24, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 26, Lots 1, 2, 3, 4 and unsurveyed accretion thereto. Unsurveyed accretion in front of Lots 5, 6, 7, 8;
Sec. 27, Lot 4 and unsurveyed accretion thereto; unsurveyed accretions in front of Lots 1, 2, 3, 5, 6, 7;
Sec. 28, Lots 1, 2, 3, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 29, Lot 5;
Sec. 31, Lot 1; Lots 4, 6 and unsurveyed accretions thereto. Unsurveyed accretions in front of Lots 7, 8, 9, 10;
Sec. 32, Lot 3; Unsurveyed accretion in front of Lots 1, 4;
Sec. 34, NE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 154 N., R. 98 W.,
Sec. 35, Lot 1 and unsurveyed accretion thereto.
T. 152 N., R. 99 W.,
Sec. 5, Lot 3 and unsurveyed accretion thereto. Unsurveyed accretion in front of Lot 4;
Sec. 6, unsurveyed accretion in front of Lots 1, 2, 3.
T. 153 N., R. 99 W.,
Sec. 22, unsurveyed accretion in front of Lot 1;
Sec. 23, unsurveyed accretion in front of Lots 3, 4;
Sec. 24, unsurveyed accretion in front of Lot 4;
Sec. 25, unsurveyed accretion in front of Lots 2, 3, 4, 7;
Sec. 26, unsurveyed accretions in front of Lots 2, 5, 6, 7;
Sec. 27, unsurveyed accretion in front of Lot 1;
Sec. 31, Lot 3 and unsurveyed accretion thereto.
Sec. 32, Lot 7; unsurveyed accretion in front of Lot 5;
Sec. 33, Lots 3, 4; unsurveyed accretion in front of Lots 5, 6, 7;
Sec. 34, Lots 1, 2, 3, 4;
Sec. 35, Lot 6; unsurveyed accretion in front of Lots 1, 2, 3, 4.
T. 152 N., R. 100 W.,
Sec. 2, Lot 12 and unsurveyed accretion thereto.
Sec. 3, Lot 6; Lot 7 and unsurveyed accretion thereto.
Sec. 4, Lots 15, 16;
Sec. 5, Lots 9, 10;
Sec. 10, Lot 1 and unsurveyed accretion thereto.
T. 153 N., R. 100 W.,
Sec. 4, unsurveyed accretion in front of Lot 7;
Sec. 8, Lots 2, 3;
Sec. 9, Lot 8;
Sec. 27, Lot 3 and unsurveyed accretion thereto. Unsurveyed accretion in front of Lots 1, 2;
Sec. 28, Lot 5; unsurveyed accretion in front of Lots 1, 2, 3, 4;
Sec. 29, unsurveyed accretion in front of Lots 2, 3, 4, 5, 6;
Sec. 32, Lots 2, 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 33, Lots 1, 2, 3, NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 34, Lot 1, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 2, 3 and unsurveyed accretion thereto.
Sec. 35, Lot 2.

The areas described aggregate approximately 10,416.10 acres.

The lands, except lot 12, sec. 6, T. 146 N., R. 84 W., shall be subject to leasing under the mineral-leasing laws for their oil and gas deposits, but any lease shall include the following conditions:

1. All rights granted under the lease shall be subordinate to the rights of the United States to flood and submerge such rights permanently or intermittently in connection with the operation and maintenance of the Garrison Dam and Reservoir.

2. That all operations under the lease shall be subject to the approval of the District Engineer, Corps of Engineers, in direct charge of the project, and subject to such conditions and regulations as may be prescribed by him, and the plans and location for all structures, appurtenances thereto, and work on said lands shall be submitted to said District Engineer for approval in advance of commencement of any work on said lands.

3. That no structure or appurtenance thereto shall be of a material or construction tending to create floatable debris.

4. That the construction and operation of said structures and appurtenances thereto shall be such as not to cause pollution of the soils and the waters of the Garrison Dam and Reservoir Project.

FRED G. AANDAHL,
Assistant Secretary of the Interior

FEBRUARY 25, 1955.

[F R. Doc. 55-1808; Filed, Mar. 2, 1955; 8:45 a. m.]

[Public Land Order 1079]

UTAH

WITHDRAWING PUBLIC LANDS FOR USE OF THE UNITED STATES ATOMIC ENERGY COMMISSION

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in the

State of Utah are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved for use of the United States Atomic Energy Commission:

SALT LAKE MERIDIAN

T. 37 S., R. 21 E.,
Secs. 1 and 12.

The areas described aggregate 1,280 acres.

FRED G. AANDAHL,
Assistant Secretary of the Interior

FEBRUARY 25, 1955.

[F R. Doc. 55-1796; Filed, Mar. 2, 1955; 8:45 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

[CGFR 54-58]

PART 1—GENERAL PROVISIONS

SUBPART 1.25—FEES AND CHARGES FOR COPYING, CERTIFYING, OR SEARCHING RECORDS AND FOR DUPLICATE DOCUMENTS AND CERTIFICATES

Correction

The following change should be made in F R. Doc. 55-1542, appearing at page 1097 of the issue for Tuesday February 22, 1955.

In the eleventh line of § 1.25-45, the figure "\$4.50" should read "\$0.50"

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

FORM PRESCRIBED FOR LARGE AND MEDIUM STEAM RAILWAYS

At a session of the Interstate Commerce Commission, Division 1, held at its

office in Washington, D. C., on the 23d day of February A. D. 1955.

The matter of annual reports from steam railway companies and switching and terminal companies of Class I and Class II being under consideration, and it appearing that the changes in existing regulations to be effectuated by this order are only minor changes with respect to the data to be furnished and that public rule-making procedures are unnecessary.

It is ordered, That the order dated December 14, 1953, in the matter of annual reports from steam railway companies and switching and terminal companies of Class I and Class II (49 CFR 120.11) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1954, and subsequent years, as follows:

§ 120.11 *Form prescribed for large and medium steam railways.* All steam railway companies and switching and terminal companies of Class I and Class II (49 CFR 126.1) subject to the provisions of section 20, Part I, of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1954, and for each succeeding year until further order in accordance with Annual Report Form A (Large and Medium Steam Roads and Switching and Terminal Companies) which is hereby approved and made a part of this order.¹ The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31, of the year following the one to which it relates.

(Sec. 20, 24 Stat. 386, as amended; 49 U. S. C. 20)

NOTE: Budget Bureau No. 60-R008.11.

By the Commission, Division 1.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F R. Doc. 55-1837; Filed, Mar. 2, 1955; 8:53 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[43 CFR Parts 220, 221, 222, 223]

APPEALS AND CONTESTS

NOTICE OF PROPOSED RULE MAKING

The Department of the Interior proposes to revise the regulations relating to appeals to the Director of the Bureau of Land Management, appeals to the Secretary of the Interior from the Director, and contests and protests relating to land matters. These regulations are found in Title 43, Chapter I, Subchapter P Code of Federal Regulations (19 F R. 9055) Part 220—General Regulations Relating to Practice will be revoked, but it is contemplated that the

substance of those sections which relate to the preference right of a contestant will be transferred to other parts of Title 43. Part 221 will be revised to include the subject matter now embraced by Parts 222 and 223, and the two latter parts will be revoked. The proposed revision of Part 221 is set forth below.

All persons who are interested are invited to submit written comments, suggestions, or objections with respect to the proposed revision of 43 CFR, Subchapter P to the Solicitor, Department of the Interior, Washington 25, D. C., within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

CLARENCE A. DAVIS,
Acting Secretary of the Interior

FEBRUARY 24, 1955.

Parts 220, 222, and 223 of 43 CFR are revoked and Part 221 is revised to read as follows:

PART 221—APPEALS AND CONTESTS

Subpart A—Appeals to the Director of the Bureau of Land Management

PLEADINGS

- | | |
|-------|---|
| Sec. | |
| 221.1 | Who may appeal. |
| 221.2 | Appeal; how taken; mandatory time limit. |
| 221.3 | Statement of reasons; written arguments; briefs. |
| 221.4 | Service of notice of appeal and of other documents. |
| 221.5 | Answers. |

REQUEST FOR HEARING; ORAL ARGUMENT

- | | |
|-------|--|
| 221.6 | Hearings on appeals involving questions of fact. |
|-------|--|

¹ Filed as part of original document.

- Sec.
221.7 Deposit.
221.8 Oral argument.

DECISIONS BY DIRECTOR

- 221.9 Action by Director on appeal.
221.10 Effect of failure to appeal.

PROCEEDINGS BEFORE FIELD COMMISSIONERS

- 221.11 Prehearing conferences.
221.12 Fixing of place and date for hearing, notice.
221.13 Postponements.
221.14 Authority of the Field Commissioner.
221.15 Conduct of hearing.
221.16 Evidence.
221.17 Reporter's fees.
221.18 Cost of transcript.
221.19 Summary of evidence.
221.20 Action by Field Commissioner.

Subpart B—Appeals to the Secretary of the Interior

- 221.31 Right of appeal to the Secretary of Interior.
221.32 Appeal, how taken; mandatory time limit.
221.33 Statement of reasons; written arguments; briefs.
221.34 Service of notice of appeal and of other documents.
221.35 Answer.
221.36 Oral argument.
221.37 Finality of decision.

Subpart C—Contests and Protests

PRIVATE CONTESTS AND PROTESTS

- 221.51 By whom private contest may be initiated.
221.52 Protests.
221.53 Initiation of contest.
221.54 Contents of complaint.
221.55 Amendment of complaint.
221.56 Corroboration required.
221.57 Filing fee.
221.58 Service.
221.59 Effect of answer.
221.60 When service may be made by publication.
221.61 Contents of published notice.
221.62 Publication, mailing and posting of notice.
221.63 Proof of service.
221.64 Answer to complaint.
221.65 Action by Manager.
221.66 Amendment of answer.

GOVERNMENT CONTESTS

- 221.67 Government contests.
221.68 Proceedings in Government contests.

PROCEEDINGS BEFORE THE FIELD COMMISSIONER

- 221.69 Prehearing conferences.
221.70 Fixing of place and date for hearing; notice.
221.71 Postponements.
221.72 Authority of the Field Commissioner.
221.73 Conduct of hearing.
221.74 Evidence.
221.75 Reporter's fees.
221.76 Decision of Field Commissioner.
221.77 Appeal to the Director.

Subpart D—General Provisions

- 221.91 Definitions.
221.92 When a document is filed.
221.93 Record address.
221.94 Transferees and encumbrancers.
221.95 Service.
221.96 Computation of time for filing and service.
221.97 Extension of time.
221.98 Summary dismissal.
221.99 Basis of decisions; record.
221.100 Official notice.
221.101 Effect of decision pending appeal.

- Sec.
221.102 Regulations governing practice before the Department.
221.103 Inquiries.
221.104 Compulsory attendance of witnesses.
221.105 Application for subpoena.
221.106 Fees payable to witness who testifies on request without issuance of subpoena.
221.107 Power of Secretary.

SUBPART A—APPEALS TO THE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT¹

PLEADINGS

§ 221.1 *Who may appeal.* Any person adversely affected by a decision of an officer of the Bureau of Land Management other than the Director or persons signing for the Director, shall have a right of appeal to the Director.

§ 221.2 *Appeal; how taken, mandatory time limit.* A person who wishes to appeal to the Director must file in the office of the officer who made the decision or in the office of the Director a notice that he wishes to appeal, accompanied by a \$5 filing fee. The notice must give the serial number or other identification of the case and must be received in the office in which it is filed within 30 days after the person taking the appeal received the decision he is appealing from. No extensions of time will be granted for filing this notice and no appeal will be considered in which the notice is received late. The notice of appeal may include a statement of the reasons for the appeal and any arguments the appellant wishes to make.

§ 221.3 *Statement of reasons; written arguments; briefs.* If the notice of appeal did not include a statement of the reasons for the appeal, such a statement must be filed in the office where the notice of appeal was filed within 30 days after the notice of appeal is filed or such extensions of time as may be granted pursuant to § 221.97. In any case the appellant will be permitted to file in such office additional statements of reasons and written arguments or briefs within the 30 day period after he filed the notice of appeal.

§ 221.4 *Service of notice of appeal and of other documents.* The appellant must serve a copy of the notice of appeal and of any statement of reasons, written arguments or briefs on each adverse party named in the decision appealed from not later than 15 days after filing the document or such extensions of time as may be granted pursuant to § 221.97. Failure to serve within the time required will subject the appeal to summary dismissal as provided in § 221.98. Proof of such service as required by § 221.95 must be filed in the office where the document was filed within 15 days after service.

§ 221.5 *Answers.* If any party served with a notice of appeal wishes to participate in the proceeding on appeal he must file an answer within 30 days after receipt of the notice of appeal or statement of reasons where such statement was not included in the notice of appeal. The answer must state the reasons why the

¹ In addition to the material under this heading, the general provisions under Subpart D of this part should be consulted.

answerer thinks the appeal should not be sustained. Answers must be filed in the office of the officer who made the decision appealed from or in the office of the Director and must be served on the appellant, not later than 15 days thereafter, in the manner prescribed in § 221.95, and proof of service must be made. Failure to answer will not result in a default. If an answer is not filed and served within the time required, it may be disregarded in deciding the appeal.

REQUEST FOR HEARING; ORAL ARGUMENT

§ 221.6 *Hearings on appeals involving questions of fact.* Either an appellant or an adverse party may if he desires a hearing to present evidence on an issue of fact, request that the case be assigned to a Field Commissioner of the Bureau of Land Management for such a hearing. Such a request must be made before the time when answers are due pursuant to § 221.5. The allowance of a request for hearing is within the discretion of the Director, and the Director may on his own motion, refer any case to a Field Commissioner for a hearing on an issue of fact. If a hearing is ordered, the Director will specify the issues upon which the hearing is to be held.

§ 221.7 *Deposit.* If a request for a hearing is granted, a deposit of \$20 toward reporters' fees will be required of the parties who made the request. Other parties who appear at the hearing will be requested to pay their share of the fees at that time.

CROSS REFERENCE: for reporters' fees, see § 221.17.

§ 221.8 *Oral argument.* The Director may in his discretion, grant an opportunity for oral argument before him or a person designated by him.

DECISIONS BY DIRECTOR

§ 221.9 *Action by Director on appeal.* The Director or his authorized representative will render a written decision in each case appealed to him. Such decisions will be served on all parties and shall be subject to an appeal to the Secretary as provided in § 221.31.

§ 221.10 *Effect of failure to appeal.* When any party fails to appeal to the Secretary from an adverse decision of the Director, that decision shall as to such party be final and will not be disturbed except for fraud or for gross irregularity.

PROCEEDINGS BEFORE FIELD COMMISSIONERS

§ 221.11 *Prehearing conferences:* (a) The Field Commissioner may, in his discretion, on his own motion or motion of one of the parties or of the Bureau of Land Management, direct the parties or their representatives to appear at a specified time and place for a prehearing conference to consider: (1) The possibility of obtaining stipulations, admissions of facts and agreements to the introduction of documents, (2) the limitation of the number of expert witnesses, and (3) any other matters which may aid in the disposition of the proceedings before the Field Commissioner or before the Director.

(b) The Field Commissioner shall make an order which recites the action taken at the conference and the agreements made as to any of the matters considered, and which limits the issues for hearing to those not disposed of by admissions or agreements. Such order shall control the subsequent course of the proceeding before the Field Commissioner unless modified for good cause, by subsequent order.

§ 221.12 *Fixing of place and date for hearing; notice.* The Field Commissioner shall fix a place and date for the hearing and notify all parties and the Bureau.

§ 221.13 *Postponements.* (a) Postponements of hearings will not be allowed except upon a showing of good cause and proper diligence. A request for a postponement must be served upon all parties to the proceeding and filed in the office of the Field Commissioner at least 10 days prior to the date of the hearing. In no case will a request for postponement served or filed less than 10 days in advance of the hearing be granted unless the party requesting it demonstrates that an extreme emergency occurred which could not have been anticipated and which justifies beyond question the granting of a postponement.

(b) The request for a postponement must state in detail the reasons why a postponement is necessary. If a request is based upon the absence of witnesses, it must state what the substance of the testimony of the absent witnesses would be. No postponement will be granted if the adverse party or parties file with the Field Commissioner within 5 days after the service of the request a statement admitting that the witnesses on account of whose absence the postponement is desired would, if present, testify as stated in the request.

(c) Only one postponement will be allowed to a party on account of the absence of witnesses unless the party requesting a further postponement shall at the time apply for an order to take the testimony of the alleged absent witness by deposition.

§ 221.14 *Authority of the Field Commissioner.* The Field Commissioner is vested with general authority to conduct the hearing in an orderly and judicial manner, including authority to subpoena witnesses and to take and cause depositions to be taken in accordance with the act of January 31, 1903 (32 Stat. 790; 43 U. S. C. 102-106) to administer oaths, to call and question witnesses, to make proposed findings of fact and to take such other actions in connection with the hearing as may be prescribed by the Director in referring the case for hearing. The issuance of subpoenas, the attendance of witnesses, and the taking of depositions shall be governed by the applicable provisions of Subpart D of this part.

§ 221.15 *Conduct of hearing.* So far as not inconsistent with the prehearing order, the Field Commissioner may seek to obtain stipulations as to material facts. Unless the Field Commissioner

directs otherwise, the appellant will present his evidence on the facts at issue following which the other parties and the Bureau of Land Management will present their evidence on such issues.

§ 221.16 *Evidence.* (a) All oral testimony shall be under oath and witnesses shall be subject to cross examination. The Field Commissioner may question any witnesses. Documentary evidence may be received if pertinent to any issue. The Field Commissioner will summarily stop examination and exclude testimony which is obviously irrelevant and immaterial.

(b) Objections to evidence will be ruled upon by the Field Commissioner. Such rulings will be considered, but need not be separately ruled upon, by the Director in connection with his decision. Where a ruling of a Field Commissioner sustains an objection to the admission of evidence, the party affected may insert in the record, as a tender of proof, a summary written statement of the substance of the excluded evidence.

§ 221.17 *Reporter's fees.* (a) Where a hearing is requested, each party and the Bureau will be required to pay the reporter's fees covering the party's or the Bureau's direct evidence and cross examination of other witnesses.

(b) Where a hearing is ordered by the Director upon his own motion, each party who prevails in the Director's decision will be required to pay the reporter's fees covering the party's direct evidence and cross examination of other witnesses. The remainder of the reporter's fees will be paid by the Government.

(c) Reporter's fees will be at rates established by the local courts or, if the reporting is done pursuant to a contract, at rates established by the contract. The Field Commissioner may require the parties to make reasonable deposits for reporter's fees from time to time in advance of taking testimony. Any part of a deposit not used will be returned to the depositor except that deposits which are required pursuant to § 221.7 in advance of a hearing will not be returned if the party making the deposit does not appear at the hearing, but will be used to pay the reporter's appearance fee, if any and the remainder will be forfeited to the United States.

§ 221.18 *Cost of transcript.* Each party must pay for any copies of the transcript obtained by him. Unless a summary of the evidence is stipulated to, the Government will pay for the copy of the transcript filed with the case record.

§ 221.19 *Summary of evidence.* The parties and the Bureau may, with the consent of the Field Commissioner, agree that a summary of the evidence approved by the Field Commissioner may be filed in the case in lieu of a transcript. In such case, the Field Commissioner will prepare or arrange for the preparation of the summary and for the agreement of the parties to it. The summary will then be made a part of the case record. If, on appeal to the Secretary a party wishes to utilize the transcript instead of the summary he must furnish at his expense a copy of the transcript for the case record.

§ 221.20 *Action by Field Commissioner.* Upon completion of the hearing and the incorporation of the summary or transcript in the record, the Field Commissioner will send the record and proposed findings of fact on the issues presented at the hearing to the Director. The proposed findings of fact will not be served upon the parties. Any findings of fact made or adopted by the Director will be subject to attack in an appeal to the Secretary.

SUBPART B—APPEALS TO SECRETARY OF THE INTERIOR¹

§ 221.31 *Right of appeal to the Secretary of the Interior.* Any party adversely affected may appeal to the Secretary of the Interior from a final decision of the Director, whether such final decision is on an appeal or is an original decision, except from such a decision which, prior to promulgation, has been approved by the Secretary. No appeal, however, may be taken from a decision of the Director affirming a decision of a subordinate official of the Bureau in any case where the party adversely affected shall have failed to appeal from the decision of such official.

§ 221.32 *Appeal, how taken, mandatory time limit.* A person who wishes to appeal to the Secretary from a decision of the Director must file in the office of the Director or of the Secretary a notice that he wishes to appeal, accompanied by a \$5 filing fee. The notice must give the serial number or other identification of the case and must be received in the office in which it is filed within 30 days after the person taking the appeal received the decision he is appealing from. No extensions of time will be granted for filing this notice and no appeal will be considered in which the notice is received late. The notice of appeal may include a statement of the reasons for the appeal and any arguments the appellant wishes to make.

§ 221.33 *Statement of reasons; written arguments; briefs.* If the notice of appeal did not include a statement of the reasons for the appeal, such a statement must be filed within 30 days after the notice of appeal is filed or such extensions of time as may be granted pursuant to § 221.97 in the office where the notice of appeal was filed. In any case, the appellant will be permitted to file additional statements, reasons, written arguments and briefs within the 30 day period after he files a notice of appeal.

§ 221.34 *Service of notice of appeal and of other documents.* The appellant must serve a copy of the notice of appeal and of any statement of reasons, written arguments or briefs on each adverse party previously named in decisions in the matter and must file proof of such service not later than 15 days after filing the document or such extensions of time as may be granted pursuant to § 221.97. Failure to serve within the time required will subject the appeal to summary dismissal as provided in § 221.98. Proof of such service as required by § 221.95 must

¹ In addition to the material under this heading, the general provisions under Subpart D of this part should be consulted.

be filed in the office where the document was filed within 15 days after service.

§ 221.35 *Answers.* If a party served with such notice of appeal wishes to participate in the proceeding on appeal he must file an answer within 30 days after receipt of notice of appeal or statement of reasons where such statement was not included in the notice of appeal. The answer must state the reasons why the answerer thinks the appeal should not be sustained. Answers must be filed in the office of the Director or of the Secretary and must be served on the appellant not later than 15 days thereafter, in the manner prescribed in § 221.95 and proof of service must be made. Failure to answer will not result in a default. If an answer is not filed and served within the time required, it may be disregarded in deciding the appeal.

§ 221.36 *Oral argument.* The Secretary may in his discretion grant an opportunity for oral argument before him or a person designated by him.

§ 221.37 *Finality of decision.* No appeal will lie in the Department from a decision of the Secretary.

SUBPART C—CONTESTS AND PROTESTS¹

PRIVATE CONTESTS AND PROTESTS

§ 221.51 *By whom private contest may be initiated.* Any person who claims title to or an interest in land adverse to any other person claiming title to an interest in such land or who seeks to acquire a preference right pursuant to the act of May 14, 1880, as amended (43 U. S. C. 185) or the act of March 3, 1891 (43 U. S. C. 329) may initiate proceedings to have such adverse interest invalidated for any reason not shown by the records of the Bureau of Land Management. Such a proceeding will constitute a private contest and will be governed by the regulations in this part.

§ 221.52 *Protests.* Where the elements of a contest are not present, any objection raised by any person to any action proposed to be taken in any proceeding before the Bureau will be deemed to be a protest and such action thereon will be taken as is deemed to be appropriate in the circumstances.

§ 221.53 *Initiation of contest.* Any person desiring to initiate a private contest must file a complaint and proof of service of a copy of the complaint on the contestee in the land office which has jurisdiction over the land involved, or, if there is no such land office, in the office of the Director, Bureau of Land Management, Washington 25, D. C.

§ 221.54 *Contents of complaint.* The complaint shall contain the following information. (a) The name and address of each party interested, including the age of each heir of any deceased entryman.

(b) A legal description of the land involved.

(c) A reference, so far as known to the contestant, to any proceedings pend-

ing for the acquisition of title to, or an interest in, such land.

(d) A statement in clear and concise language of the facts constituting the grounds of contest.

(e) A statement of the law under which contestant claims or intends to acquire title to, or an interest in, the land and of the facts showing that he is qualified to do so.

(f) A statement that the proceeding is not collusive or speculative but is instituted and will be diligently pursued in good faith.

(g) A request that the contestant be allowed to prove his allegations and that the adverse interest be invalidated.

(h) The office in which the complaint is filed and the address to which papers shall be sent for service on the contestant.

(i) A notice that unless the contestee files an answer to the complaint in such office within 30 days after service of the notice, the allegations of the complaint will be taken as confessed.

§ 221.55 *Amendment of complaint.* Except insofar as the Manager, Field Commissioner, Director or Secretary may raise issues in connection with deciding a contest, issues not raised in a complaint may not be raised later by the contestant unless the Field Commissioner permits the complaint to be amended after due notice to the other parties and an opportunity to object.

§ 221.56 *Corroboration required.* Each allegation of fact in the complaint must be corroborated by the statement of at least one witness having personal knowledge of the facts which, if proven, would render the adverse interest subject to invalidation, and these facts must be set forth in the statement. Such statements shall be attached to the complaint.

§ 221.57 *Filing fee.* Each complaint must be accompanied by a filing fee of \$10 and a deposit of \$20 toward reporter's fees.

§ 221.58 *Service.* (a) The complaint must be served upon any contestee. If the contestee is of record in the land office service may be made and proved as provided in § 221.95. If the person to be served is not of record in the land office, proof of service may be shown by a written statement of the person who made personal service, by post-office registry return receipt showing personal delivery, or by acknowledgment of service. In certain circumstances, service may be made by publication as provided in § 221.60.

(b) When the contest is against the heirs of a deceased entryman, the notice shall be served on each heir. If the person to be personally served is an infant or a person who has been legally adjudged of unsound mind, service of notice shall be made by delivering a copy of the notice to the legal guardian or committee, if there be one, of such infant or person of unsound mind; if there be none, then by delivering a copy of the notice to the person having the infant or person of unsound mind in charge.

§ 221.59 *Effect of answer.* Where a contestee answers without questioning the service or proof of service of the complaint, the contest will proceed without further requirement in those particulars.

§ 221.60 *When service may be made by publication.* When the contestant has made diligent search and inquiry to locate the contestee, and cannot locate him, the contestant may proceed with service by publication after first filing with the manager an affidavit which shall.

(a) State that the contestee could not be located after diligent search and inquiry made within 15 days prior to the filing of the affidavit;

(b) Be corroborated by an affidavit of the postmaster nearest the land in controversy stating either that his office has no knowledge of the contestee's whereabouts or giving his last known address, and the affidavits of two persons who live in the vicinity of the land which contain the same information,

(c) State the last known address of the contestee; and

(d) State in detail the efforts and inquiries made to locate the party sought to be served.

§ 221.61 *Contents of published notice.* The published notice must give the names of the parties to the contest, legal description of the land involved, the substance of the charges contained in the complaint, the office in which the contest is pending, and a statement that upon failure to file an answer in such office within 30 days after the completion of publication of such notice, the allegations of the complaint will be taken as confessed. The published notice shall also contain a statement of the dates of publication.

§ 221.62 *Publication, mailing and posting of notice.* (a) Service of notice by publication shall be made by publishing notice at least once a week for five successive weeks in some newspaper published in the county wherein the land in contest lies, or if no newspaper be printed in such county then in the newspaper published nearest to the land.

(b) Within 15 days after the first publication of a notice, the contestant shall send a copy of the notice and the complaint by registered mail, return receipt requested to the contestee at his last known address and also to the contestee in care of the post office nearest the land. The return receipts shall be filed in the office in which the contest is pending.

(c) A copy of the notice as published shall be posted in the office where the contest is pending and also in a conspicuous place upon the land involved. Such postings shall be made within 15 days after the first publication of the notice.

§ 221.63 *Proof of service.* (a) Proof of publication of the notice shall be made by filing in the office where the contest is pending a copy of the notice as published and the affidavit of the publisher or foreman of the newspaper publishing the same showing the publication of the notice in accordance with § 221.62.

¹ In addition to the material under this heading, the general provisions under Subpart D of this part should be consulted.

(b) Proof of posting of the notice shall be by affidavit of the person who posted the notice on the land and by the certificate of the manager or the Director as to posting in his office.

(c) Proof of the mailing of notice shall be by affidavit of the person who mailed the notice to which shall be attached the registry return receipt.

§ 221.64 *Answer to complaint.* Within 30 days after service of the complaint or after the last publication of the notice, the contestee must file in the office where the contest is pending an answer specifically meeting and responding to the allegations of the complaint, together with proof of service of a copy of the answer upon a contestant as provided in § 221.95. The answer shall contain or be accompanied by the address to which all notices or other papers shall be sent for service upon contestee.

§ 221.65 *Action by Manager.* (a) If an answer is not filed as required, the allegations of the complaint will be taken as admitted by the contestee and the manager will decide the case without a hearing.

(b) If an answer is filed and unless all parties waive a hearing, the manager will refer the case to a field commissioner upon determining that the elements of a private contest appear to have been established.

§ 221.66 *Amendment of answer.* At the hearing, any allegation not denied by the answer will be considered admitted. The Field Commissioner may permit the answer to be amended after due notice to other parties and an opportunity to object.

GOVERNMENT CONTESTS

§ 221.67 *Government contests.* The Government may initiate contests for any cause affecting the legality or validity of any entry or settlement or mining claim.

§ 221.68 *Proceedings in Government contests.* The proceedings in Government contests shall be governed by the rules relating to proceedings in private contests with the following exceptions:

(a) No corroboration shall be required of a Government complaint.

(b) No filing fee or deposit toward reporter's fee shall be required of the Government.

(c) Any action required of the contestant may be taken by any authorized Government employee.

(d) The statement required by § 221.54 (e) need not be included in the complaint.

PROCEEDINGS BEFORE THE FIELD COMMISSIONER

§ 221.69 *Prehearing conferences.* (a) The Field Commissioner may in his discretion, on his own motion or on motion of one of the parties, or of the Bureau, direct the parties or their representatives to appear at a specified time and place for a prehearing conference to consider: (1) The simplification of the issues, (2) the necessity of amendments to the pleadings, (3) the possibility of obtaining stipulations, admissions of facts and agreements to the introduction

of documents, (4) the limitation of the number of expert witnesses, and (5) such other matters as may aid in the disposition of the proceedings.

(b) The Field Commissioner shall make an order which recites the action taken at the conference, the amendments allowed to the pleadings, and the agreements made as to any of the matters considered, and which limits the issues for hearing to those not disposed of by admissions or agreements. Such order shall control the subsequent course of the proceeding before the Field Commissioner unless modified for good cause, by subsequent order.

§ 221.70 *Fixing of place and date for hearing notice.* The Field Commissioner shall fix a place and date for the hearing and notify all parties and the Bureau.

§ 221.71 *Postponements.* (a) Postponements of hearings will not be allowed except upon a showing of good cause and proper diligence. A request for a postponement must be served upon all parties to the proceeding and filed in the office of the Field Commissioner at least 10 days prior to the date of the hearing. In no case will a request for postponement served or filed less than 10 days in advance of the hearing be granted unless the party requesting it demonstrates that an extreme emergency occurred which could not have been anticipated and which justifies beyond question the granting of a postponement.

(b) The request for a postponement must state in detail the reasons why a postponement is necessary. If a request is based upon the absence of witnesses, it must state what the substance of the testimony of the absent witnesses would be. No postponement will be granted if the adverse party or parties file with the Field Commissioner within 5 days after the service of the request a statement admitting that the witnesses on account of whose absence the postponement is desired would, if present, testify as stated in the request.

(c) Only one postponement will be allowed to a party on account of the absence of witnesses unless the party requesting a further postponement shall at the time apply for an order to take the testimony of the alleged absent witness by deposition.

§ 221.72 *Authority of the Field Commissioner.* The Field Commissioner is vested with general authority to conduct the hearing in an orderly and judicial manner, including authority to subpoena witnesses and to take and cause depositions to be taken in accordance with the act of January 31, 1903 (43 U. S. C. 102-106) to administer oaths, to call and question witnesses, and to make a recommended decision. The issuance of subpoenas, the attendance of witnesses and the taking of depositions shall be governed by the applicable provisions of Subpart D of this part.

§ 221.73 *Conduct of hearing.* So far as not inconsistent with a prehearing order, the Field Commissioner may seek to obtain stipulations as to material facts and the issues involved and may state

any other issues on which he may wish to have evidence presented. He may exclude irrelevant issues. The contestant will then present his case following which the other parties and the Bureau will present their cases.

§ 221.74 *Evidence.* (a) All oral testimony shall be under oath and witnesses shall be subject to cross examination. The Field Commissioner may question any witness. Documentary evidence may be received if pertinent to any issue. The Field Commissioner will summarily stop examination and exclude testimony which is obviously irrelevant and immaterial.

(b) Objections to evidence will be ruled upon by the Field Commissioner. Such rulings will be considered, but need not be separately ruled upon, by the Director in connection with his decision. Where a ruling of a Field Commissioner sustains an objection to the admission of evidence, the party affected may insert in the record, as a tender of proof, a summary written statement of the substance of the excluded evidence.

§ 221.75 *Reporter's fees.* (a) Each party and the Bureau will be required to pay the reporter's fees covering the party's or the Bureau's direct evidence and cross examination of other witnesses except that (1) the Government will pay all reporter's fees where it has brought a contest against a claim, an entry or an application for patent and the contest is terminated adversely to the Government, and (2) a contestant claiming a preference right of entry under section 2 of the act of May 14, 1880 (43 U. S. C. 185) or the act of March 3, 1891 (43 U. S. C. 329) will be required to pay all costs of the contest.

(b) In any case, each party must pay for any copies of the transcript obtained by him. Reporter's fees will be at the rates established for the local courts, or, if the reporting is done pursuant to a contract, at rates established by the contract. The Field Commissioner may require the parties to make reasonable deposits for reporter's fees from time to time in advance of taking testimony. Any part of a deposit not used will be returned to the depositor except that deposits which are required to be filed when a complaint is filed will not be returned if the party making the deposit does not appear at the hearing, but will be used to pay the reporter's appearance fee, if any and the remainder will be forfeited to the United States.

§ 221.76 *Decision of Field Commissioner.* The Field Commissioner will make a decision and serve it on all parties.

§ 221.77 *Appeal to Director.* Any party including the Government, adversely affected by the decision of the Field Commissioner may appeal to the Director as provided in Subpart A of this part. No further hearing will be allowed however in connection with the appeal to the Director.

SUBPART D—GENERAL PROVISIONS

§ 221.91 *Definitions.* As used in this part:

(a) "Secretary" means the Secretary of the Interior or his authorized representatives.

(b) "Director" means the Director of the Bureau of Land Management, the Associate Director or an Assistant Director.

(c) "Bureau" means Bureau of Land Management.

§ 221.92 *When a document is filed.* A document is filed only when it is received in the office where the filing is required.

§ 221.93 *Record address.* Every person who files a document in connection with an appeal, contest or protest shall at the time of his initial filing in the matter state his address. Thereafter he must promptly inform the office in which the filing was made of any change in address, giving the serial or other appropriate numbers of all matters in which he has made such a filing. The successors of such person shall likewise promptly inform such office of their interest in the matters and state their addresses. If a person fails to furnish a record address as required in this section, he will not be entitled to notice in connection with the proceedings on the matter.

§ 221.94 *Transferees and encumbrancers.* Transferees and encumbrancers of land, the title to which is claimed or is in the process of acquisition under any public land law shall, upon filing notice of the transfer or encumbrance in the proper land office, become entitled to receive and be given the same notice of any contest, appeal, or other proceeding thereafter had affecting such lands which is required to be given to a party to the proceeding. Every such notice of a transfer or encumbrance will be noted upon the records of the land office. Thereafter such transferee or encumbrancer must be made a party to any proceedings adverse to the entry.

§ 221.95 *Service.* (a) Wherever the regulations in this part require that a copy of a document be served upon a person, service may be made by delivering the copy personally to him or by sending the document by registered mail, return receipt requested, to his address of record in the Bureau.

(b) In any case service may be proved by an acknowledgment of service signed by the person to be served. Personal service may be proved by a written statement of the person who made such service. Service by registered mail may be proved by a registry return receipt showing that the document was delivered at the person's record address or showing that the document could not be delivered to such person at his record address because he had moved therefrom without leaving a forwarding address or because he is deceased or because delivery was refused at that address or because no such address exists. Proof of service of a copy of a document should be filed in the same office in which the document is filed.

(c) A document will be considered to have been served at the time of per-

sonal service, of delivery of a registered letter, or of the date of return of an undelivered registered letter.

(d) In all cases where a party is represented by an attorney such attorney will be recognized as fully controlling the same on behalf of his client, and service of any document relating to the proceeding upon such attorney will be deemed to be service on the party he represents. Where a party is represented by more than one attorney service upon one of the attorneys shall be sufficient.

§ 221.96 *Computation of time for filing and service.* In computing any period of time prescribed for filing and serving a document, the day upon which the decision or document to be appealed from or answered was received or the day of any other event after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included unless it is a Saturday, Sunday or Federal legal holiday in which event the period runs until the end of the next day which is not a Saturday Sunday or Federal legal holiday. When the time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays, and Federal legal holidays shall be excluded in the computation.

§ 221.97 *Extensions of time.* (a) With the exception of the time fixed for filing a notice of appeal, the time for filing or serving any document in connection with an appeal may be extended by the officer to whom the appeal is taken.

(b) The manager or the Field Commissioner, as the case may be, may extend the time for filing or serving any document in connection with a contest.

(c) A request for an extension of time must be filed within the time allowed for the filing or serving of the document and must be filed in the same office in which the document in connection with which the extension is requested must be filed.

§ 221.98 *Summary dismissal.* An appeal to the Director or to the Secretary will be subject to summary dismissal by the officer to whom it is made for any of the following causes:

(a) If a statement of the reasons for the appeal is not included in the notice of appeal and is not filed within the time required;

(b) If the notice of appeal is not served upon adverse parties within the time required; and

(c) If the statement of reasons, if not contained in the notice of appeal, is not served upon adverse parties within the time required.

§ 221.99 *Basis of decisions; record.* (a) The record of a hearing shall consist of the transcript of testimony or summary of testimony and exhibits together with all papers and requests filed in the hearing.

(b) If a hearing has been held on an appeal pursuant to instructions of the Director, this record shall be the sole basis for decision insofar as the referred issues of fact are involved except to the extent that official notice may be taken of a fact as provided in § 221.100.

(c) Where a hearing has been held in a contest the record made shall be the sole basis for decision except to the extent that official notice may be taken of a fact as provided in § 221.100.

(d) In any case, no decision on appeal or in a contest shall be based upon any record, statement, file or similar document which is not open to inspection by the parties to the appeal or contest.

§ 221.100 *Official notice.* Official notice may be taken of the contents of the tract books, the serial registers, the approved plats of survey and other public records of the Department of the Interior and of any matter of which the courts may take judicial notice. Where a decision in a case in which a hearing has been held rests upon official notice of a material fact relating to an issue upon which the hearing was held, the decision will so state and will allow any party upon request to have an opportunity to show to the contrary. Such request must be filed and served within the time and in the manner prescribed in the decision. Where a decision or recommendation has rested upon such official notice and has afforded the parties an opportunity to show to the contrary no further opportunity to show to the contrary will be allowed.

§ 221.101 *Effect of decision pending appeal.* Normally a decision will not be effective during the time in which a person adversely affected may file a notice of appeal, and the timely filing of a notice of appeal will suspend the effect of the decision appealed from pending the decision on appeal. However, when the public interest requires, the officer to whom an appeal may be or is taken may provide that a decision or any part of it shall be in full force and effect immediately.

§ 221.102 *Regulations governing practice before the Department.* Every individual who wishes to practice before the Department of the Interior, including the Bureau, must comply with the requirements of Part 1 of this Title.

§ 221.103 *Inquiries.* No person other than officers or employees of the Department of the Interior shall direct any inquiry to any employee of the Bureau with respect to any matter pending before it other than to the head of the unit in which the matter is pending, to a superior officer, or to an employee of the unit authorized by the unit head to answer inquiries.

§ 221.104 *Compulsory attendance of witnesses.* The Field Commissioner is authorized to issue subpoenas directing the attendance of witnesses at hearings to be held before him or at the taking of depositions to be held before other officers. The issuance of subpoenas, service, attendance fees, and similar matters, shall be governed by the act of January 31, 1903 (43 U. S. C. 102-106) and 28 U. S. C. 1821. Subpoenas will be issued on Form No. 4-622.

§ 221.105 *Application for subpoena.* An application for a subpoena may be filed in the office of the Field Commis-

sioner before whom the hearing is to be held, in the office of the officer who made the decision appealed from or in the office of the manager in which a complaint was filed, in which case the officer or manager will forward the application to the Field Commissioner.

§ 221.106 *Fees payable to witness who testifies on request without issuance of subpoena.* Any witness who attends any hearing or the taking of any deposition at the request of any party to the controversy without having been subpoenaed do so shall be entitled to the same mileage and attendance fees to which he would have been entitled if he had been first duly subpoenaed as a witness on behalf of such party.

§ 221.107 *Power of Secretary.* Nothing in this Part shall be construed to deprive the Secretary of any power conferred upon him by law.

[F R. Doc. 55-1815; Filed, Mar. 2, 1955; 8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 961]

MILK IN PHILADELPHIA, PENNSYLVANIA, MARKETING AREA

ORDER OF SECRETARY DIRECTING THAT REFERENDUM BE CONDUCTED AND DESIGNATION OF AGENT TO CONDUCT SUCH REFERENDUM

Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)) it is hereby directed that a referendum be conducted among the producers (as defined in the order regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area) who, during the month of December 1954 were engaged in the production of milk for sale in the marketing area specified in the aforesaid order, to determine whether such producers favor the issuance of the order, amending the order now in effect, which is a part of the decision of the Secretary of Agriculture issued February 21, 1955.

In that decision the month of December 1954 was determined to be the representative period for the purpose of ascertaining whether the issuance of the said amending order is favored by producers.

L. S. Iverson is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F R. 5177) such referendum to be completed on or before the 10th day from the date this referendum order is issued.

Done at Washington, D. C., this 25th day of February 1955.

[SEAL]

EARL L. BUTZ,
Assistant Secretary.

[F R. Doc. 55-1832; Filed, Mar. 2, 1955; 8:51 a. m.]

[7 CFR Part 989]

HANDLING OF RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO APPROVING BUDGET OF EXPENSES OF RAISIN ADMINISTRATIVE COMMITTEE AND FIXING RATE OF ASSESSMENT FOR 1954-1955 CROP YEAR

Notice is hereby given that the Secretary of Agriculture is considering a proposed rule to approve a budget of expenses for the Raisin Administrative Committee for the 1954-1955 crop year and fix a rate of assessment for such year, as hereinafter set forth. The budget of expenses and rate of assessment are proposed after consideration of the recommendation with respect thereto submitted by the Raisin Administrative Committee, and other information available to the Secretary in accordance with the applicable provisions of Marketing Agreement No. 109 and Order No. 89 (7 CFR, 1953 Rev., Part 989) regulating the handling of raisins produced from raisin variety grapes grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.)

Consideration will be given to any data, views, or arguments pertaining thereto which are filed in triplicate with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., and received not later than the close of business on the seventh day after the date of publication of this notice in the FEDERAL REGISTER, except that, if said seventh day after publication should fall on a legal holiday or Saturday or Sunday such submission will be received by the Director not later than the close of business on the next following business day.

The proposed rule is as follows:

§ 989.305 *Budget of expenses of the Raisin Administrative Committee and rate of assessment for the 1954-55 crop year—(a) Budget of expenses.* Expenses in the amount of \$66,960 are reasonable and are likely to be incurred by the Raisin Administrative Committee for its maintenance and functioning and for the maintenance and functioning of the Raisin Advisory Board for the crop year beginning August 15, 1954.

(b) *Rate of assessment.* Each handler shall pay to the Raisin Administrative Committee, in accordance with the marketing agreement and order, an assessment rate of 48 cents for each ton of free tonnage raisins acquired by him, and for each ton of reserve tonnage raisins sold to him by the committee, during the crop year beginning August 15, 1954, which assessment rate is hereby fixed as each handler's pro rata share of the aforesaid expenses.

Issued this 28th day of February 1955.

[SEAL]

S. R. SMITH,
Director
Fruit and Vegetable Division.

[F R. Doc. 55-1845; Filed, Mar. 2, 1955; 8:54 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 203]

DESTRUCTION OF RECORDS OF CLASS I MOTOR CARRIERS

NOTICE OF PROPOSED RULE MAKING

FEBRUARY 21, 1955.

Having under consideration the matter of regulations to govern the destruction of records of Class I common and contract motor carriers of property and passengers, pursuant to provisions of section 220 (d) of the Interstate Commerce Act, the Commission by Division 1 has approved the cancellation of "Regulations to govern the preservation of records of Class I motor carriers, Issue of 1951," as prescribed by order dated May 22, 1951, and has approved the "Regulations to govern the destruction of records of Class I motor carriers, Issue of 1955," which are attached hereto.

Any interested person may on or before March 31, 1955, file with the Commission in Washington, D. C., written views or arguments to be considered in this connection, and may request oral argument thereon. After consideration of representations so received, an order will be entered prescribing the attached regulations effective May 1, 1955, but including any necessary changes resulting from such representations.

[SEAL]

GEORGE W. LAIRD,
Secretary.

Section 220 (d) of the Interstate Commerce Act includes the following provision.

The Commission may issue orders specifying such operating, accounting, or financial papers, records, books, blanks, tickets, stubs, correspondence, or documents of motor carriers, brokers, or lessors as may after a reasonable time be destroyed, and prescribing the length of time the same shall be preserved.

Section 222 (g) of the Interstate Commerce Act provides as follows:

Any motor carrier, broker, or other person, or any officer, agent, employee, or representative thereof, who shall willfully fail or refuse to make a report to the Commission as required by this part, or to make specific and full, true, and correct answer to any question within thirty days from the time it is lawfully required by the Commission so to do, or to keep accounts, records, and memoranda in the form and manner prescribed by the Commission, or shall knowingly and willfully falsify, destroy, mutilate, or alter any such report, account, record, or memorandum, or shall knowingly and willfully file with the Commission any false report, account, record, or memorandum, or shall knowingly and willfully neglect or fail to make full, true, and correct entries in such accounts records, or memoranda of all facts and transactions appertaining to the business of the carrier, or person required under this part to keep the same, or shall knowingly and willfully keep any accounts, records, or memoranda contrary to the rules, regulations, or orders of the Commission with respect thereto, shall be deemed guilty of a misdemeanor and upon conviction thereof be subject for each offense to a fine of not more than \$5,000. As used in this

subsection the words "keep" and "kept" shall be construed to mean made, prepared, or compiled, as well as retained.

§ 203.301 *Introduction.* Sections 203.301 to 203.307 specify the records and documents which may be destroyed and prescribe the length of time the same shall be preserved; but mention of a record or document hereinafter imposes no requirement that it shall be installed if its purpose is otherwise being adequately served. Compliance with §§ 203.301 to 203.307 will not exempt a carrier from statutory requirements, other than provisions of the Interstate Commerce Act, for retention of records or documents for periods longer than those prescribed in §§ 203.301 to 203.307.

§ 203.302 *Authority to destroy records—(a) General authority.* Class I motor carriers may destroy records or documents named or described in §§ 203.301 to 203.307 after they have been preserved for the prescribed periods of time. Permanent records are those which may not be destroyed without special authority

(b) *Special authority.* A carrier proposing to destroy records or documents which are not named or described in §§ 203.301 to 203.307, or which if named or described have not been retained for the period required by the regulations, may request special authority to destroy them. Applications for such special authority shall describe in detail the records or documents to be destroyed and shall explain why their continued retention is unnecessary.

§ 203.303 *Photographic copies.* (a) Certain records and documents may be preserved on microfilm and the film retained in lieu of the original record or document, subject to the following limitations:

(1) The records listed in § 203.307 with a permanent retention period may not be destroyed after being photographed for preservation unless special authority is first secured as provided in § 203.302 (b)

(2) All records and documents included in the following items of § 203.307, if photographed for preservation, shall be retained in their original form not less than two years prior to destruction.

Item	Description
15	General office records relating to extension of credit for transportation and other charges.
44	Journals, summaries, or other records of freight revenues.
45	Journals, summaries, or other records of passenger revenues.
96	Fidelity and indemnity bonds.

(3) All records and documents listed in § 203.307, other than those excluded in subparagraphs (1) and (2) of this paragraph, may be destroyed after they have been suitably photographed for preservation.

(b) To be acceptable in lieu of original records, photographic copies must meet the following minimum requirements:

(1) Photographic copies shall be no less readily accessible than the original record or document as normally filed or preserved would be, and suitable means or facilities shall be available to locate,

identify read, or reproduce such photographic copies. Photographic copies shall be preserved until the end of the period prescribed for the original records or documents.

(2) Any significant characteristic, feature, or other attribute of the original record or document, which photography in black and white will not preserve, shall be clearly indicated before the photograph is made.

(3) The reverse side of printed forms need not be copied if nothing has been added to the printed matter common to all such forms, but an identified specimen of such form shall be on the film for reference.

(4) Film used for photographing copies shall be of permanent record type meeting in all respects the minimum specifications of the National Bureau of Standards, and all processes recommended by the manufacturer shall be observed to protect it from deterioration or accidental destruction.

§ 203.304 *Supervision of destruction.* Within six months after the effective date of §§ 203.301 to 203.307, or within six months after becoming subject to this provision, each carrier shall appoint an officer or other responsible employee to supervise the destruction of records and documents. Such appointment shall be by formal corporate act or, if the carrier is not incorporated, by such formal act as would be necessary to execute a contract binding on the carrier.

§ 203.305 *Record of destroyed records.* The supervising officer or other designated employee shall maintain, or shall cause to be maintained, a record of

all carrier records and documents which have been destroyed pursuant to §§ 203.301 to 203.307 except those the retention of which is optional with the carrier. The record shall be in such detail that the destroyed records or documents may be identified and the time, place, and method of destruction can be established. If the destruction is by accident or at the hand of someone not subject to the carrier's control, then the record shall include a statement of the relevant circumstances.

§ 203.306 *Carriers going out of business.* The records and documents relating to operations of a carrier subject to §§ 203.301 to 203.307 may be destroyed without regard to the prescribed periods of retention after carrier status is abandoned for purposes of the Interstate Commerce Act; provided however, (a) if the carrier is a corporation being dissolved by act of the authority which created it, the records may not be destroyed until dissolution is otherwise complete, and (b) if the carrier is not incorporated or is being kept alive for purposes other than carrier operations, records relating to former carrier operations may not be destroyed until all transactions relating to such operations are completed.

§ 203.307 *Prescribed periods of retention.* The following list describes the purpose for which a record is necessary and the prescribed periods shall be observed even if a record by some other name serves the described purpose. If identical copies of the same document serve more than one such described purpose, only one copy is required to be retained by §§ 203.301 to 203.307.

Item	Description of records, etc.	Period to be retained
I. GENERAL AND FINANCIAL		
1	Minute books of directors, executive committees, stockholders, and other corporate meetings.	Permanent.
2	Capital stock records:	
	(a) Capital stock ledger.....	Permanent.
	(b) Capital stock certificates, records of or stubs of.....	Permanent.
	NOTE: If the information shown on the stubs is recorded in permanent records the stubs are required to be retained only for a period of 3 years.	
	(c) Stock transfer register.....	Permanent.
	(d) Memoranda and bills of sale or of transfer of capital stock.....	3 years.
	(e) Capital stock subscription notices and requests for allotment.....	3 years.
	(f) Canceled capital stock certificates (see item 5).	
3	Bond records:	
	(a) Registered bond ledger.....	Permanent.
	(b) Records or stubs of bonds.....	Permanent.
	NOTE: If the information shown on the stubs is recorded in permanent records the stubs are required to be retained only for a period of 3 years.	
	(c) Memoranda and bills of sale or of transfer of registered bonds.....	3 years.
	(d) Records of interest coupons paid and unpaid.....	7 years after payment.
	(e) Long term debt subscription notices and requests for allotment.....	3 years.
	(f) Canceled bonds. Paid interest coupons and unissued bonds (see item 5).	
4	Corporate elections:	
	(a) Proxies of holders of voting securities.....	2 years.
	(b) Lists of holders of voting securities presented at meetings.....	6 years.
	(c) Qualification oaths of judges of election.....	Optional.
	(d) Qualification oaths of directors.....	Optional.
	(e) Ballots cast and tabulations of vote.....	2 years.
	(f) Judges' reports of election results.....	2 years.
5	Retired securities:	
	Stock certificates, bonds, notes, interest coupons, receivers' certificates, and temporary certificates taken up and canceled.	Optional.
6	Ledgers:	
	(a) General and auxiliary ledgers and indexes thereto.....	Permanent.
	(b) Trial balance sheets of general and auxiliary ledgers.....	4 years.
7	Record of securities owned, in treasury, or with custodians.....	Permanent.
8	General journals:	
	(a) General journal entries.....	Permanent.
	(b) Supporting papers not otherwise provided for.....	6 years.
9	Cash receipts records:	
	(a) General cash receipts journals.....	Permanent.
	(b) Detailed records supporting totals recorded in item (9a).....	6 years.
	(c) Bank deposit slips.....	3 years.

Item	Description of records etc	Period to be retained	Item	Description of records etc	Period to be retained
I. GENERAL AND FINANCIAL—Continued					
10	Records summarizing the results of noncarrier operations for entry in general books Note: Ledgers, journals, abstracts reports, vouchers etc., shall be retained for the same periods as are provided for similar documents elsewhere in these regulations	6 years	40	Tariffs and other rate authorities: (a) Tariffs, classifications, division sheets, and circulars in which persons or property, in the general files of the traffic or other department in which the complete official file is maintained (b) Tariffs, classifications, division sheets, and circulars in other departments and at agencies, if copies of the same issues of such tariffs, etc. are preserved in the general files referred to in (a) above. (c) Contracts and minimum rate schedules of contract motor carriers (d) Requests and receipts from agents and others for tariffs classifications, division sheets, and circulars (e) Written requests on carrier from persons and companies for quotations of rates and copies of carrier's quotations (f) Copies of concurrences and powers of attorneys filed with the Interstate Commerce Commission and with other regulating bodies. (g) Authorities for the transportation of property free or at reduced rates and supporting papers. (h) Correspondence and working papers in connection with the making of rates and compilation of tariffs, classifications, division sheets, and circulars affecting the transportation of persons or property (i) Records, circulars, and settlements regarding conventions excursions, traffic promotions and similar matters (j) Public timetables and literature correspondence or records relating to them. Records pertaining to the diversion or reassignment of freight, including requests, tracers, and correspondence in connection therewith Market quotations and weather reports received from agents and others when not altering claims Records and reports pertaining to embargoes congested traffic and similar matters Records and other records of freight revenues Journals, summaries or other records of passenger revenues Passes, reduced fares, and free tickets: (a) Copies of orders for printing pass stock (b) Records of passes issued or requested from other carriers (c) Records and reports of tickets issued free or at reduced rates and of such tickets requested from other carriers (d) All other records and documents relating to the issuance or use of passes and tickets at reduced rates or free (e) Canceled passes and tickets issued free or at reduced rates. (f) Journals, summaries, or other records of transportation revenues other than freight and passenger (g) Journals, summaries or other records of revenues from operations other than transportation (h) Bills of lading and releases: (a) Consignors' shipping orders, consignors' shipping tickets, and copies of bills of lading, freight bills from other carriers and other similar documents furnished the carrier for movement of freight (b) Contracts covering risk of carriers to transportation and storage Freight bill: (a) Origin station copy (b) Delivery receipt, records of and receipt for delivery of freight to consignees and connecting carriers (c) Settlement copy receivable paid copy of freight bill retained by carrier to support the receipt of freight charges. (d) Settlement copy payable, paid copy of freight bill retained by carrier to support payment of freight charges to other carriers. (e) Unsettled copy, records of unsettled freight bills freight bills in suspense and supporting papers (f) All other copies Note: A freight bill is a document which shows shipper, consignee, origin of shipment and destination number of pieces, description of the commodity weight, rate, freight and any other connecting carrier involved in the transportation of the shipment and shows the total charges to be paid by the customer See § 203.306	3 years after expiration or cancellation Optional after expiration or cancellation. 3 years after expiration or cancellation Optional Optional 3 years after cancellation. 3 years 3 years after cancellation of tariff 3 years Optional 2 years Optional 3 years 6 years 6 years Optional 3 years 3 years 1 complete calendar year 2 years 6 years 6 years 3 years 4 years Optional 3 years 3 years 3 years 1 year after settlement or other final disposition Optional
11	Deeds and other title papers; franchises; applications to and certificates or permits from regulatory bodies authorizing operations or extensions of operations and all papers memoranda and correspondence in connection therewith	Permanent unless transferred to others in connection with sale of physical property and operating rights	41	Records pertaining to the diversion or reassignment of freight, including requests, tracers, and correspondence in connection therewith	Optional
12	Contracts and agreements: (a) Card or book records of contracts, property leases and agreements made, and of expirations and renewals (b) Equipment leases owner operator agreements and records thereof. (c) Other contracts leases and agreements	3 years after expiration See note See note	42	Records and reports pertaining to embargoes congested traffic and similar matters	3 years
13	Note: 2 years after expiration or cancellation or transfer to others in connection with sale of physical property and operating rights Tax records: (a) Taxes based on income (b) Real estate and personal property tax (c) Taxes based on payrolls (d) Federal excise taxes (e) Highway use taxes (f) Corporate privilege tax Treasurer's records: (a) Statements and summaries of balances on hand with deposits (b) Statements from depositories of funds received disbursed and transferred. (c) Bank reconciliations; checks drafts etc issued and not presented (d) Copies of deposit slips (e) Agents remittance slips General office records relating to establishment of credit arrangements with suppliers Reports of examinations, audits and transfers by special accountants, traveling auditors time inspectors weight inspectors etc and supporting papers Reports to Interstate Commerce Commission and other regulating bodies: (a) Annual financial, operating and statistical reports file copies of, and supporting papers (b) Reports of operating revenues, expenses and statistics file copies, and supporting papers (c) Audited reports, file copies of and supporting papers (d) Reports of financial services, file copies of and supporting papers: (1) Drivers' logs (Form BMC 58) (2) Hours of service report (Forms BMC 60 and BMC 62) (3) Monthly report of excess hours (Form BMC 61) (e) Reports to regulating bodies regarding expenditures of proceeds from sale of authorized securities file copies of and supporting papers (f) Other reports to regulatory bodies not provided for by items (a) to (e) (g) Copies of applications to and authorities from regulating bodies for the issuance of stocks bonds and other securities (see item (e) above)	6 years 6 years 6 years 6 years 6 years Optional 3 years 3 years 3 years 2 years after discontinuance of credit arrangement 2 years Permanent 3 years 3 years For period prescribed in safety regulations 3 years 3 years 5 years 3 years Permanent Permanent	43	Records and reports pertaining to embargoes congested traffic and similar matters	3 years
14	Treasurer's records: (a) Statements and summaries of balances on hand with deposits (b) Statements from depositories of funds received disbursed and transferred. (c) Bank reconciliations; checks drafts etc issued and not presented (d) Copies of deposit slips (e) Agents remittance slips	Optional 3 years 3 years 3 years 2 years after discontinuance of credit arrangement 2 years	44	Journals, summaries or other records of freight revenues	6 years
15	General office records relating to establishment of credit arrangements with suppliers	2 years	45	Journals, summaries or other records of passenger revenues	6 years
16	Reports of examinations, audits and transfers by special accountants, traveling auditors time inspectors weight inspectors etc and supporting papers	3 years	46	Passes, reduced fares, and free tickets: (a) Copies of orders for printing pass stock (b) Records of passes issued or requested from other carriers (c) Records and reports of tickets issued free or at reduced rates and of such tickets requested from other carriers (d) All other records and documents relating to the issuance or use of passes and tickets at reduced rates or free (e) Canceled passes and tickets issued free or at reduced rates. (f) Journals, summaries, or other records of transportation revenues other than freight and passenger (g) Journals, summaries or other records of revenues from operations other than transportation (h) Bills of lading and releases: (a) Consignors' shipping orders, consignors' shipping tickets, and copies of bills of lading, freight bills from other carriers and other similar documents furnished the carrier for movement of freight (b) Contracts covering risk of carriers to transportation and storage Freight bill: (a) Origin station copy (b) Delivery receipt, records of and receipt for delivery of freight to consignees and connecting carriers (c) Settlement copy receivable paid copy of freight bill retained by carrier to support the receipt of freight charges. (d) Settlement copy payable, paid copy of freight bill retained by carrier to support payment of freight charges to other carriers. (e) Unsettled copy, records of unsettled freight bills freight bills in suspense and supporting papers (f) All other copies Note: A freight bill is a document which shows shipper, consignee, origin of shipment and destination number of pieces, description of the commodity weight, rate, freight and any other connecting carrier involved in the transportation of the shipment and shows the total charges to be paid by the customer See § 203.306	Optional 3 years 3 years 1 complete calendar year 2 years 6 years 6 years 3 years 4 years Optional 3 years 3 years 3 years 1 year after settlement or other final disposition Optional
17	Reports to Interstate Commerce Commission and other regulating bodies: (a) Annual financial, operating and statistical reports file copies of, and supporting papers (b) Reports of operating revenues, expenses and statistics file copies, and supporting papers (c) Audited reports, file copies of and supporting papers (d) Reports of financial services, file copies of and supporting papers: (1) Drivers' logs (Form BMC 58) (2) Hours of service report (Forms BMC 60 and BMC 62) (3) Monthly report of excess hours (Form BMC 61) (e) Reports to regulating bodies regarding expenditures of proceeds from sale of authorized securities file copies of and supporting papers (f) Other reports to regulatory bodies not provided for by items (a) to (e) (g) Copies of applications to and authorities from regulating bodies for the issuance of stocks bonds and other securities (see item (e) above)	Permanent 3 years 3 years For period prescribed in safety regulations 3 years 3 years 5 years 3 years Permanent Permanent	47	Journals, summaries, or other records of transportation revenues other than freight and passenger	2 years
18	Note: The supporting papers referred to in item 17 are those requisite to support the reports named, and not elsewhere provided for in these regulations If figures for such reports are assembled on memorandum sheets, such sheets constitute a part of the supporting papers and shall be retained accordingly	Permanent	48	Journals, summaries or other records of revenues from operations other than transportation	6 years
19	Annual reports or statements to stockholders, file copies of Miscellaneous statistical reports, statements and summaries (not otherwise provided for herein) used for administrative purposes only and not entering the accounts of the company	Permanent Optional	49	Bills of lading and releases: (a) Consignors' shipping orders, consignors' shipping tickets, and copies of bills of lading, freight bills from other carriers and other similar documents furnished the carrier for movement of freight (b) Contracts covering risk of carriers to transportation and storage Freight bill: (a) Origin station copy (b) Delivery receipt, records of and receipt for delivery of freight to consignees and connecting carriers (c) Settlement copy receivable paid copy of freight bill retained by carrier to support the receipt of freight charges. (d) Settlement copy payable, paid copy of freight bill retained by carrier to support payment of freight charges to other carriers. (e) Unsettled copy, records of unsettled freight bills freight bills in suspense and supporting papers (f) All other copies Note: A freight bill is a document which shows shipper, consignee, origin of shipment and destination number of pieces, description of the commodity weight, rate, freight and any other connecting carrier involved in the transportation of the shipment and shows the total charges to be paid by the customer See § 203.306	3 years 4 years Optional 3 years 3 years 3 years 1 year after settlement or other final disposition Optional

[illegible]

Item	Description of records, etc.	Period to be retained
V. INSURANCE AND SAFETY—continued		
97	Insurance records: (a) Schedules of fire, cargo, public liability and property damage, and other insurance. (b) Insurance policies.....	4 years. Optional after expiration of liability of insurer.
	(c) Letter and telegraphic reports of damages by fire, collision, etc. (d) Reports of minor losses by fire, collision, etc., not covered by insurance or less than minimum amount collectible. (e) Schedules of risks covered by self-insurance reserves.....	3 years. 2 years. 2 years.
98	Claim registers: (a) Claim registers, card or book indexes and other records in connection with the recording of overcharge, loss and damage, personal injury, fire, and other claims presented against carriers. (b) Records showing the details of authorities issued to agents, carriers, and others for participation in freight claims.	6 years. 6 years.
99	Claim papers: (a) All papers substantiating overcharge, loss and damage, personal injury, fire, and other claims whether such papers are filed separately or attached to vouchers. (b) Claim jackets, if all information thereon appears in records covered by (a) above.	3 years after settlement or rejection. Optional.
100	Records of fire and other damages to property of others: (Reports and statements of employees regarding injuries by fire or otherwise, to property of others, when not necessary to support claims or vouchers.)	3 years.
101	Reports and statements regarding personal injuries, when not necessary to support claims or vouchers.	3 years.
102	Records of unclaimed, over, short, damaged, and refused freight: (a) Tracers, reports, and other records pertaining to unclaimed, over, short, damaged, and refused freight, when not necessary to support claims or vouchers. (b) Authorities for disposal of unclaimed, damaged and refused freight.	3 years. 3 years.
103	Vehicle accidents: (a) Record of automotive vehicle accidents..... (b) Reports of accidents by drivers or others..... (c) Reports of damage to equipment by accidents.....	3 years. 3 years. 3 years.
104	Records of hours of service of transportation employees (see item 17 (d) for reports of hours of service.)	Period prescribed in safety regulations.
105	Reports and records in connection with policing the motor carriers' detective service, investigations of robberies, and attempts to defraud when not the subject of claim against the carrier.	Optional.
106	Reports and records in connection with the prevention of loss and damage to freight shipments.	Optional.
VI. MISCELLANEOUS		
120	Tabulating cards and codes: (a) When the results are transcribed to other records covered by these regulations. (b) When the results are not transcribed to other records covered by these regulations. (c) Records of code numbers and the periods during which they were effective.	Destroy at option after appropriate summaries have been made. For the period prescribed for the specific records. For the period prescribed for the specific records.
121	Duplicate accounts, records, and memoranda listed in these regulations when they are not provided for otherwise and when they contain no information other than that shown on the originals.	Optional.
122	Books and circulars of instructions to agents and others, in the general file of the department in which the complete official file is maintained.	3 years after expiration or cancellation.
123	Data relating to the destruction of records.....	20 years.
124	Correspondence: (a) Correspondence and records thereof relating to subjects listed in items 1 to 123, inclusive. (b) Operators' copies of telegrams, including relay copies, if the original or other copies of such messages are retained as provided for in (a) above. (c) Stenographers' notebooks and phonograph and other mechanical device records, if transcripts thereof are retained, as provided for in (a) above. (d) Transcripts of teletype messages.....	For the period prescribed for the records to which the correspondence relates. Optional. Optional. For the period prescribed for the records to which the correspondence relates.

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[F R. Doc. 55-1836; Filed, Mar. 2, 1955; 8:52 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

FEBRUARY 25, 1955.

An application, serial number Anchor-age 028641, for the withdrawal from all forms of appropriation under the public land laws, including the mining and mineral leasing laws of the lands described below was filed on January 21, 1955, by the Department of the Army. The purposes of the proposed withdrawal. Classified military purposes.

For a period of 60 days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the Area Administrator, Area 4, Bureau of Land Management, Department of the Interior, at Anchorage, Alaska. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a Notice of Determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

PARCEL NO. 2

Beginning at a point S. 57°12' E. approximately 10,868 feet from USC&GS Triangulation Station "Sitkinak Dome 2" N. Lat. 56°33'35.473" W Long. 154°10'56.731" thence N. 44°27' E. approximately 3,896 feet; thence S. 45°33' E. approximately 2,000 feet; thence S. 44°27' W., approximately 12,380 feet; thence N. 45°33' W. approximately 2,000 feet; thence N. 44°27' E. approximately 8,434 feet to the point of beginning, and containing 568 acres, more or less.

PARCEL NO. 3

Beginning at a point N. 45°00' W. 2,828 feet from USC&GS Triangulation Station "Sitkinak Dome 2" N. Lat. 56°33'35.473" W. Long. 154°10'56.731" thence East 6,280 feet; thence S. 5,280 feet; thence W. 6,280 feet; thence N. 5,280 feet to the point of beginning and containing 761 acres, more or less.

LOWELL M. PUCKETT,
Area Administrator

[F R. Doc. 55-1812; Filed, Mar. 2, 1955; 8:46 a. m.]

ALASKA

SMALL TRACT CLASSIFICATION ORDER NO. 96

FEBRUARY 25, 1955.

By virtue of the authority contained in the act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended and pursuant to Delegation of Authority contained in section 1.9 (c) Order No. 541 of April 21, 1954, Bureau of Land Management, it is ordered as follows:

1. Subject to valid existing rights, the public lands hereinafter described, which are situated in the Anchorage, Alaska Land District, are hereby classified as chiefly valuable for residence purposes, as hereinafter indicated, for lease and sale under the Small Tract Act of June 1, 1938, supra.

WRANGELL AREA SMALL TRACTS—MILE 7 AND MILE 8 GROUPS

FOR LEASE AND SALE

For Residence Sites

U. S. Survey 2921.

Lots 1-8 inclusive;

Lots 16-19 inclusive;

U. S. Survey 2922:

Lots 9-15 inclusive;

Lots 20 and 21;

U. S. Survey 2967: Lots 1-8 inclusive;

U. S. Survey 2968: Lots 9-15 inclusive;

U. S. Survey 2969: Lots 16-21 inclusive;
U. S. Survey 2905: Lot 4A.

Comprising 43 lots aggregating 73.67 acres.

JUNEAU AREA

FOR LEASE AND SALE

For Residence Sites

U. S. Survey 3054: Lot 34.

Comprising 1 lot aggregating 0.64 acre.

KETCHIKAN AREA—HERRING BAY

FOR LEASE AND SALE

For Residence Sites

U. S. Survey 2403: Lot 88.

Comprising 1 lot aggregating 4.36 acres.

With the exception of Lot 4A, U. S. Survey 2905, Lot 34, U. S. Survey 3054 and Lot 88, U. S. Survey 2403, the lots are located on the western shore of Wrangell Island overlooking Zimovia Strait about seven to eight miles south of Wrangell. The lots contain frontage on the Wrangell Highway an all-weather road, and some lots contain frontage both on the Highway and the waters of Zimovia Strait. Access is either by road or water.

The area in general rises abruptly from the shore in most places and is covered with a heavy stand of mature timber with a thick understory of brush along the road. The beaches along the entire area are generally good. There is no commercial timber on the area and it is not considered to be of importance agriculturally. Climatically the area is similar to most of Southeast Alaska, featuring cool, moist summers, moderate winters, and a heavy annual precipitation.

The area is traversed with many small streams, some of which no doubt run the year around and could be tapped as a source of domestic water.

The area is within easy driving distance of Wrangell but is not served by any public carriers, nor is it served with any form of electric energy at this time. The area is not within any governing body such as an Independent School District, Public Utility District or incorporated town. Schools, churches, stores and other public services are available in Wrangell.

Each of the lots in the Wrangell Group has been surveyed from the center of the Wrangell Highway and is, therefore, subject to a 50-foot highway easement.

Lot 4A, U. S. Survey 2905 is located about two and one-half miles south of Wrangell. Lot 34, U. S. Survey 3054 is approximately 15 miles north of Juneau on the Glacier Highway. Lot 88, U. S. Survey 2403 is located about 8 miles southeast of Ketchikan on the South Tongass Highway.

2. This classification order shall not otherwise become effective to change the status of any lands described herein or to permit the leasing of any such lands under the Small Tract Act of June 1, 1938 cited above until 10:00 a. m. on March 8, 1955, on which date application to lease said lands may be filed, received and acted upon in accordance with the following schedule of priorities:

No. 43 — 3

Priority category	Preferred applicant	Types of application	Duration of priority period	How competing applications will be considered
1	Holders of individual preference rights based on valid settlement, statutory preference, or equitable claims.	Small tract	112 days from date of opening or until close of business on June 27, 1955.	Priority of right.
2	Veterans of World War II and of the Korean Conflict, and other beneficiaries of the act of Sept. 27, 1944, 58 Stat. 747 (43 USC 279-284), as amended.	...do.....	21 days from date of this opening up to and including 10 a. m. on Mar. 29, 1955.	Simultaneous filing period, drawing at close of period, on date specified.
3	-----do-----	-----do-----	91 days from the end of the second priority period being the close of business on June 27, 1955.	Order of filing during the priority period.
4	Any other qualified person.....	-----do-----	21 days from June 7, 1955, up to and including 10 a. m. on June 28, 1955.	Drawing at close of the priority period.
5	Any qualified person.....	-----do-----	Any time after the end of the fourth priority period.	Order of filing.

Persons claiming veterans' preference rights under Priority Categories 2 and 3 must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge.

Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations, Part 257.

Inquiries concerning these lands and applications for them shall be addressed to: Manager, Anchorage Land Office, Anchorage, Alaska.

3. Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, under the circumstances, are substantial, and are appropriate for the use for which the lease is issued. Leases will be issued for a period of two years, at an annual rental of \$5 for residence sites, payable in advance for the entire lease period. Applications for extension for an additional period of one year shall be considered in appropriate cases. Every lease for land classified for lease and sale will contain an option to purchase clause and every such lessee may file an application to purchase at the sale price as provided in the lease.

4. All of the land will be leased in tracts varying in size from approximately .64 acre to approximately 4.36 acres in accordance with the classification maps on file in the Land Office, Anchorage, Alaska. The tracts are appraised at prices ranging from \$50 to \$350.

5. Lessees must locate any wells or sewage disposal facilities in accordance with the laws and regulations of the Territory of Alaska.

6. The leases will be made subject to rights-of-way for road purposes and

public utilities, as specified in the Classification and Appraisal Report on file in the Land Office, Anchorage, Alaska. Such rights-of-way may be utilized by the Federal Government, State, Territory County or Municipality or by any agency thereof. In the discretion of the authorized officer of the Bureau of Land Management, these rights-of-way may be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

LOWELL M. PUCKETT,
Area Administrator

[F R. Doc. 55-1813; Filed, Mar. 2, 1955;
8:47 a. m.]

[Doc. 27]

ARIZONA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The Bureau of Reclamation has filed an application, Serial No. AR-07672 in the Arizona Land Office, for the withdrawal of the lands described below from all forms of appropriation under the public land laws including the mining and mineral leasing laws.

The applicant desires the land in connection with the Colorado River Front Project. They advise that investigation has disclosed that these lands contain rock formations suitable for quarrying, and that the stone will be needed in connection with the proposed channelization work on the Colorado River between Davis Dam and Needles.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MOHAVE COUNTY, ARIZONA

T. 19 N., R. 21 W., G. & S. R. M.,
Sections 23 and 24: All.

Containing a total of 1,280 acres.

E. I. ROWLAND,
State Supervisor

FEBRUARY 23, 1955.

[F R. Doc. 55-1810; Filed, Mar. 2, 1955;
8:46 a. m.]

[Misc. 438678]

CALIFORNIA

PARTIAL REVOCATION OF ORDERS OPENING
LANDS UNDER FOREST HOMESTEAD ACT

FEBRUARY 25, 1955.

Upon request of the Department of Agriculture and pursuant to the authority delegated by Departmental Order No. 2583, section 2.22 (a) of August 16, 1950, it is ordered as follows:

Subject to valid existing rights, the orders described below opening lands in the Trinity National Forest for entry under the act of June 11, 1906, as amended (34 Stat. 233; 16 U. S. C. 506-509) are hereby revoked as to the lands hereinafter described:

HUMBOLT MERIDIAN

Forest List 5-2881; date of order of opening: March 29, 1918.

T. 3 N., R. 6 E.,
Sec. 26, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 20 acres.

Forest List 5-2775; date of order of opening: August 22, 1916.

T. 2 N., R. 6 E.,
Sec. 12, E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 20 acres.

Forest List 5-2631; date of order of opening: July 19, 1915.

T. 3 N., R. 6 E.,
Sec. 13, E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

The area described contains 10 acres.

W G. GUERNSEY,
Associate Director

[F R. Doc. 55-1811; Filed, Mar. 2, 1955;
8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

ARIZONA

DESIGNATION OF AREAS FOR EMERGENCY
LOANS

For the purpose of making emergency loans pursuant to Public Law 727, 83d Congress, it is determined that in Cochise and Santa Cruz Counties in the State of Arizona there is a need for agriculture credit which cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmers Home Administration under its regular programs, or under Public Law 38, 81st Congress (12 U. S. C. 1148a-a (a)) as amended, or other responsible sources.

Pursuant to the authority as set forth above, such loans will not be made in

Cochise and Santa Cruz Counties in the State of Arizona after June 30, 1955.

Done at Washington, D. C., this 28th day of February 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F R. Doc. 55-1847; Filed, Mar. 2, 1955;
8:55 a. m.]

DEPARTMENT OF COMMERCE

Maritime Administration

PACIFIC ARGENTINE BRAZIL LINE, INC.

NOTICE OF APPLICATION

Notice is hereby given of the application of Pacific Argentine Brazil Line, Inc., seeking the written permission of the Maritime Administration under section 805 (a) Merchant Marine Act, 1936, 46 U. S. C. 1223, for the SS P & T Pathfinder to perform a voyage in the Intercoastal Service under charter to Pope & Talbot, Inc., between the U. S. Pacific Northwest and the Atlantic Coast of the United States, said voyage to commence on or about April 10, 1955.

Under the provisions of section 805 (a) the Maritime Administrator may not grant any such application if the Administrator finds it will result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service or that it will be prejudicial to the objects and policy of the act.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 805 (a) should notify the Maritime Administration on or before March 8, 1955, and should file petitions for leave to intervene in accordance with § 201.74 of the Federal Maritime Board/Maritime Administration's rules of procedure (18 F R. 3716)

In the absence of receipt of any such request for hearing and petition for leave to intervene, the Maritime Administrator will take such action with respect to the application as may be deemed appropriate.

Dated: February 28, 1955.

By order of the Deputy Maritime Administrator.

[SEAL] A. J. WILLIAMS,
Secretary.

[F R. Doc. 55-1888; Filed, Mar. 2, 1955;
8:56 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued

to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended July 5, 1954, 19 F R. 3326)

American Modes, Inc., Winchester, Ill., effective 2-21-55 to 2-20-56; 5 learners for normal labor turnover purposes (dresses)

Cay Artley Apparel, Inc., 232 Levergood Street, 389 Maple Avenue, 238 Franklin Street, Johnstown, Pa., effective 2-18-55 to 2-17-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's and misses' dresses).

Bessemer Manufacturing Co., 1601 Carolina Avenue, Bessemer, Ala., effective 2-19-55 to 8-18-55; 10 learners for plant expansion purposes (learners are not authorized to be employed at subminimum wage rates in the production of ladies' separate skirts and lined jackets) (ladies' sportswear).

Bessemer Manufacturing Co., 1601 Carolina Avenue, Bessemer, Ala., effective 2-19-55 to 2-18-56; 10 learners for normal labor turnover purposes (learners are not authorized to be employed at subminimum wage rates in the production of ladies' separate skirts and lined jackets) ladies' sportswear)

Blounts Manufacturing Co., Blountsville, Ala., effective 2-16-55 to 2-15-56; 10 learners for normal labor turnover purposes (children's pants and boxer longies, boxer shorts).

Blue Bell, Inc., Oneonta, Ala., effective 3-2-55 to 3-1-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (denim bib overalls).

Blue Bell, Inc., Arab, Ala., effective 3-2-55 to 3-1-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (denim work jeans)

"Bundle O'Joy" Baby Wear Co., 43 South Pennsylvania Avenue, Wilkes-Barre, Pa., effective 2-24-55 to 2-23-56; 10 learners for normal labor turnover purposes (infants' gowns, kimonos, gertrudes, sacques)

Carwood Manufacturing Co., Baldwin, Ga., effective 2-19-55 to 2-18-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (work pants and shirts)

Carwood Manufacturing Co., Cornelia, Ga., effective 2-19-55 to 2-18-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (work shirts, sport shirts).

Carwood Manufacturing Co., Monroe No. 1, Monroe, Ga., effective 2-19-55 to 2-18-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees, overalls, blanket lined coats)

Carwood Manufacturing Co., Monroe No. 2, Atlanta Highway, Monroe, Ga., effective 2-19-55 to 2-18-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work and leisure pants).

Carwood Manufacturing Co., Lavonia, Ga., effective 2-19-55 to 2-18-56; 10 percent of

the total number of factory production workers for normal labor turnover purposes (work pants and shirts).

Cluett, Peabody & Co., Inc., Buchanan, Ga., effective 3-1-55 to 2-29-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's shirts).

Debbie, Inc., 214 North Court Street, Montgomery, Ala., effective 2-16-55 to 2-15-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's cotton dresses).

Feldt Manufacturing Co., Inc., 106 East Hamilton Street, Stamford, Tex., effective 2-21-55 to 2-20-56; 10 learners for normal labor turnover purposes (western shirts and trousers).

Feldt Manufacturing Co., Inc., 106 East Hamilton Street, Stamford, Tex., effective 2-21-55 to 8-20-55; 40 learners for plant expansion purposes (western shirts and trousers).

Garret Garment Corp., 101 North Gullford Street, Garrett, Ind., effective 2-18-55 to 2-17-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (ladies' cotton smocks and aprons).

Indiana Sportswear Co., Homer City Road, Indiana, Pa., effective 2-16-55 to 2-15-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' zipper and snap-button outerwear jackets).

Junior Form Lingerie Corp. Route No. 601, Jerome, Pa., effective 2-16-55 to 8-15-55; 50 learners for plant expansion purposes (slips, nightgowns and pajamas) (replacement certificate).

Macren Shirt Corp., Lafayette, Tenn., effective 2-21-55 to 7-30-55; 50 additional learners for plant expansion purposes (sport shirts) (supplemental certificate).

Meyersdale Manufacturing Co., Inc., Meyersdale, Pa., effective 2-16-55 to 2-15-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's shirts).

Nunnally & McCrea Co., Pickens County, Jasper, Ga., effective 2-26-55 to 2-25-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees, pants).

Snowden, Inc., Osceola, Iowa, effective 2-19-55 to 2-18-56; 10 learners for normal labor turnover purposes (women's lingerie).

H. B. Spont Co., 12-18 East Coal Street, Shenandoah, Pa., effective 3-1-55 to 2-28-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (ladies' cotton blouses, shorts, pedal pushers, and shirts).

W. E. Stephens Manufacturing Co., Inc., Carthage, Tenn., effective 3-1-55 to 2-29-56; 10 learners for normal labor turnover purposes (dungarees).

Walls Manufacturing Co., Inc., Cleburne, Tex., effective 3-1-55 to 2-28-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (coveralls, jeans, and jackets).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended July 13, 1953, 18 F. R. 3292)

Fairfield Glove Co., Bonaparte, Iowa, effective 2-18-55 to 2-17-56; 10 percent of the total number of machine stitchers for normal labor turnover purposes (gloves and mittens).

Fairfield Glove Co., Bonaparte, Iowa, effective 2-18-55 to 2-17-56; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.46, as amended May 3, 1954, 19 F. R. 1761)

J. A. Cline & Son, Inc., Hildebran, N. C., effective 2-28-55 to 2-27-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Windy City Knitting Mills, Inc., Hickory, N. C., effective 2-16-55 to 2-15-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's argyle anklets).

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952, 16 F. R. 12866)

Norwich Mills, Inc., Clayton, N. C., effective 2-16-55 to 2-15-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (knitted underwear and outerwear).

Snowden, Inc., Osceola, Iowa, effective 2-19-55 to 2-18-56; 5 learners for normal labor turnover purposes (women's lingerie).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14)

The following special learner certificates were issued in Puerto Rico to the company hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Walden Hosiery Mills of Puerto Rico, Inc., Cidra, P. R., effective 2-11-55 to 8-10-55; 10 learners in the occupations of knitting (transfer top) looping; 320 hours at 35 cents an hour, 320 hours at 40 cents an hour, 320 hours at 45 cents an hour (infants' hosiery).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 23d day of February 1955.

MILTON BROOKE,
*Authorized Representative
of the Administrator*

[F. R. Doc. 55-1816; Filed, Mar. 2, 1955; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2870]

WESTERN AIR LINES, INC., AND INLAND AIR LINES, INC., REOPENED MAIL RATE CASE

NOTICE OF ORAL ARGUMENT

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, of Inland Air Lines, Inc., over its entire system, and of Western Air Lines, Inc., over its routes within the continental United States insofar as authorized under its certificates for interstate air transportation and over its routes be-

tween the United States and terminal points in Canada.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on March 17, 1955, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., February 28, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner

[F. R. Doc. 55-1848; Filed, Mar. 2, 1955; 8:55 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6501]

OTTER TAIL POWER CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHORIZING ISSUANCE OF PROMISSORY NOTES

FEBRUARY 24, 1955.

Notice is hereby given that on February 3, 1955, the Federal Power Commission issued its order adopted February 2, 1955, authorizing issuance of promissory notes in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-1817; Filed, Mar. 2, 1955; 8:48 a. m.]

[Docket Nos. E-6595, E-6596]

MAINE CONSOLIDATED POWER CO. AND CENTRAL ELECTRIC & GAS CO.

NOTICE OF ORDERS TERMINATING PROCEEDINGS

FEBRUARY 24, 1955.

In the matters of Maine Consolidated Power Company Docket No. E-6595 Central Electric & Gas Company Docket No. E-6596.

Notice is hereby given that on February 4, 1955, the Federal Power Commission issued its orders adopted February 2, 1955, terminating proceedings in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-1818; Filed, Mar. 2, 1955; 8:48 a. m.]

[Docket No. G-2462]

EL PASO NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER

FEBRUARY 24, 1955.

Notice is hereby given that on February 3, 1955, the Federal Power Commission issued its order adopted February 2, 1955, issuing a certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-1819; Filed, Mar. 2, 1955; 8:48 a. m.]

NOTICES

[Docket Nos. G-2535, G-6507]

CINCINNATI GAS & ELECTRIC CO. AND
MICHIGAN CONSOLIDATED GAS CO.

NOTICE OF DECLARATIONS OF EXEMPTIONS

FEBRUARY 24, 1955.

In the matters of Cincinnati Gas & Electric Company Docket No. G-2535; Michigan Consolidated Gas Company, Docket No. G-6507.

Notice is hereby given that on February 3, 1955, the Federal Power Commission issued its declarations of exemptions from the provisions of the Natural Gas Act adopted February 2, 1955, in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.[F R. Doc. 55-1820; Filed, Mar. 2, 1955;
8:48 a. m.]

[Docket No. G-4351]

HOPE NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER

FEBRUARY 24, 1955.

Notice is hereby given that on February 3, 1955, the Federal Power Commission issued its findings and order adopted February 2, 1955, authorizing and approving abandonment of service in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.[F R. Doc. 55-1821; Filed, Mar. 2, 1955;
8:49 a. m.]

Description	Purchaser	Rate schedule designation	Effective date ¹
Notice of change dated Jan. 25, 1955.	United Gas Pipe Line Co.	Gulf Refining Co. supplement No. 1 to FPC gas rate Schedule No. 6.	Feb. 26, 1955

¹ The stated effective date is the first day after expiration of the required 30 days' notice, or the effective date proposed by applicant if later.

[Docket Nos. G-2746, G-3258—G-3261,
G-3574, G-3587, G-3623, G-3624, G-4319]

E. F. SANDERS ET AL.

NOTICE OF FINDINGS AND ORDERS

FEBRUARY 24, 1955.

In the matters of E. F. Sanders, Trustee, Docket No. G-2746; C. F. Chrisman, Docket No. G-3258; C. F. Chrisman and C. F. Chrisman, Atty.-in-Fact for Mrs. C. F. Engel, et al., Docket No. G-3259; C. F. Chrisman, Docket No. G-3260; C. F. Chrisman and C. F. Chrisman, Atty.-in-Fact for Mrs. C. F. Engel, et al., Docket No. G-3261; J. Robert Horner, C. W. Teter, et al. Lease, Docket No. G-3574, Delaware Gas Company Docket No. G-3587; Avon Ellyson Lease, Clyde D. and Carl D. Jackson d. b. a. Jackson Brothers, Docket No. G-3623; M. L. Fidler, et al. Lease, Clyde D. and Carl D. Jackson d. b. a. Jackson Brothers, Docket No. G-3624, Texas Gas Producing Company, Bradley Streeter, Trustee and Carl G. Marquardt, Docket No. G-4319.

Notice is hereby given that on February 4, 1955, the Federal Power Commission issued its findings and orders adopted February 2, 1955, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.[F R. Doc. 55-1824; Filed, Mar. 2, 1955;
8:49 a. m.]

[Docket No. G-4839]

KANE GAS LIGHT & HEATING CO.

NOTICE OF FINDINGS AND ORDER

FEBRUARY 24, 1955.

Notice is hereby given that on February 4, 1955, the Federal Power Commission issued its findings and order adopted February 2, 1955, directing sale and delivery of natural gas in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.[F R. Doc. 55-1822; Filed, Mar. 2, 1955;
8:49 a. m.]

[Docket No. G-8516]

GULF REFINING CO.

ORDER SUSPENDING PROPOSED CHANGES IN
RATES

Gulf Refining Company (Applicant) on January 26, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing which is proposed to become effective on the date shown.

sion consolidated proceedings and fixed the date for hearing on March 8, 1955.

By notice issued February 16, 1955, the said hearing was continued until further notice;

Notice is hereby given that the hearing in said matters is scheduled to commence at 10:00 a. m., e. s. t., March 21, 1955, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.[F R. Doc. 55-1839; Filed, Mar. 2, 1955;
8:53 a. m.]

LANDS WITHDRAWN IN PROJECT NO. 252

NOTICE OF VACATION

FEBRUARY 24, 1955.

Notice is hereby given that on February 7, 1955, the Federal Power Commission issued its vacation of withdrawal under section 24 of the Federal Water Power Act adopted February 2, 1955, in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.[F R. Doc. 55-1823; Filed, Mar. 2, 1955;
8:49 a. m.]SECURITIES AND EXCHANGE
COMMISSION

[File No. 24D-1328]

JEWEL OIL & GAS CORP.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

FEBRUARY 25, 1955.

I. Jewell Oil & Gas Corporation, 412 W Sixth Street, Los Angeles, California (hereinafter referred to as the "issuer") having filed with the Commission on May 11, 1953, a Notification on Form 1-A and amendments thereto on May 14, June 8, July 3 and August 28, 1953, relating to a proposed public offering of 299,975 shares of its 1 cent par value common stock at \$1 per share through East Coast Securities Corp., 61 Broadway,

[Docket Nos. G-4331, G-4332]

UNION OIL CO. OF CALIFORNIA AND LOUISIANA
LAND AND EXPLORATION CO.

NOTICE OF HEARING

FEBRUARY 25, 1955.

By order issued on February 3, 1955, in the above-entitled matters, the Commis-

New York 6, New York, as underwriter (hereinafter referred to as the "underwriter") for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof, and Regulation A promulgated thereunder and

II. The Commission having reasonable cause to believe:

A. That the terms and conditions of said Regulation A have not been complied with in that:

(1) Various written communications, to wit, telegrams from the issuer to the underwriter during the offering period from September 1, 1953 to February 15, 1954 were used by the underwriter and its salesmen to induce purchases of the issuer's stock, which material had not been filed prior to the use thereof as required by Rule 221 of Regulation A,

(2) The Notification on Form 1-A failed to have stated therein transactions effected concurrently with the offering in question at reduced prices in order to serve as a bonus to induce sales of larger blocks of stock to the purchaser and

(3) The aggregate offering price of said securities would exceed the limitation of \$300,000 as prescribed by Rule 217 (a)

B. That oral statements made by the underwriter's salesmen and its president in connection with the issuer's offering contained untrue statements of material facts and omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly among others, with respect to the statements that:

(1) The purchase of the issuer's stock was an investment and not a speculation, and was based on very good prospects and constituted a very good opportunity

(2) Only a small amount of the issuer's stock (such as 2,000 shares) remains unsold,

(3) The stock would double or triple in value in a short period of time,

(4) The issuer was in production as to oil and natural gas at the present time, having struck a "gusher,"

(5) A prominent investment house was buying a large block of the issuer's stock,

(6) The issuer had combined with another corporation to distribute its production through the issuer's pipelines,

(7) The issuer's stock will be listed on an exchange shortly after the offering is terminated, at which time the owners' "money would be doubled,"

(8) The issuer would pay dividends shortly i. e., in a matter of weeks, and

(9) The issuer would repurchase the stock from the purchasers at their election.

C. That the terms and conditions of Regulation A have not been complied with in that an offering circular which did not contain the information specified by Regulation A and did not otherwise comply with the provisions of the statute and rules promulgated thereunder was used.

D. That the terms and conditions of Regulation A have not been complied

with in that the issuer failed to file, as required by Rule 221, sales literature given to prospective purchasers;

E. That the use of said sales literature by the underwriter in connection with the offering of the issuer's shares to which the Notification related, as well as the oral statements of the underwriter's president and salesmen in connection therewith, would, and did, operate as a fraud or deceit upon the purchasers.

III. *It is ordered*, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933 that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a request for a hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

It is further ordered, That this order and notice shall be served upon Jewell Oil & Gas Corporation, East Coast Securities Corp. and Registrar & Transfer Company personally or by registered mail or by confirmed telegraphic notice, and shall be published in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F R. Doc. 55-1830; Filed, Mar. 2, 1955;
8:51 a. m.]

[File No. 70-3337]

JERSEY CENTRAL POWER & LIGHT CO.

ORDER REGARDING ALTERATION OF RIGHTS OF
SECURITY HOLDERS

FEBRUARY 25, 1955.

Jersey Central Power & Light Company ("Jersey Central") a public-utility subsidiary of General Public Utilities Corporation ("GPU") a registered holding company, has filed a declaration with this Commission pursuant to the provisions of sections 6 (a) (2) and 7 of the Public Utility Holding Company Act of 1935 ("act") with respect to the following proposed transaction.

Jersey Central plans to make unsecured borrowings of an amount not to exceed \$1,100,000 from one or more commercial banks, to mature in not more than nine months from the date of the borrowings, and to bear interest at the prime rate for commercial borrowings on the date the borrowings are effected. Jersey Central states that these borrowings are exempt from the provisions of sections 6 (a) (1) and 7 of the act pursuant to the first sentence of section 6 (b) thereof. The terms of Jersey Central's loan agreement dated May 22,

1946, however, preclude any unsecured borrowings by Jersey Central in addition to its unsecured indebtedness presently outstanding, unless the restriction is waived by the holder of Jersey Central's notes outstanding under the loan agreement. In order to effect unsecured borrowings Jersey Central proposes to obtain the waiver of said restriction, which constitutes an alteration of the rights of the holder of Jersey Central's outstanding 1¾ percent notes issued pursuant to the loan agreement of May 22, 1946, within the meaning of section 6 (a) (2) of the act.

Jersey Central estimates that its expenses in connection with the proposed transaction will not exceed \$600.

The filing states that no State commission and no Federal regulatory agency other than this Commission, has jurisdiction over the proposed transaction.

Jersey Central has requested that the Commission's order herein be issued as early as feasible and that there be no waiting period between the issuance of the Commission's order and the date of its effectiveness.

Due notice of the filing of said declaration having been given pursuant to the provisions of Rule U-23 promulgated under the act, and no hearing having been requested of, or ordered by, the Commission; and the Commission finding that the applicable provisions of the act and the rules thereunder are satisfied, and that said declaration should be permitted to become effective forthwith.

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F R. Doc. 55-1828; Filed, Mar. 2, 1955;
8:50 a. m.]

[File No. 70-3342]

KENTUCKY POWER CO.

NOTICE OF PROPOSED BANK BORROWINGS BY
SUBSIDIARY OF REGISTERED HOLDING COM-
PANY PURSUANT TO A LINE OF CREDIT

FEBRUARY 25, 1955.

Notice is hereby given that Kentucky Power Company ("Kentucky") a public-utility subsidiary of American Gas and Electric Company ("American Gas") a registered holding company has made a filing with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") designating section 7 thereof as being applicable to the proposed transactions which are summarized below.

Kentucky proposes to borrow from time to time prior to December 31, 1956 an amount not to exceed \$2,100,000 outstanding at any one time, under a line of credit with two banking institutions, the borrowings to be evidenced by promissory notes of Kentucky due not more than 270 days from date of issuance,

bearing interest at the prime credit rate in effect at the respective dates of issuance, and prepayable without premium.

It is represented in the filing that, pursuant to the exemptive provisions of the first sentence of section 6 (b) of the act, Kentucky borrowed, prior to December 31, 1954, \$1,000,000 under this line of credit.

Kentucky states that it expects to undertake its next borrowing, in the amount of \$100,000, on or about April 1, 1955. The proceeds from all of these borrowings are to be used in connection with Kentucky's program of construction which it estimates will approximate \$1,892,000 in 1955 and \$1,429,000 in 1956.

The filing indicates that no State commission or any regulatory authority, other than the Securities and Exchange Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 15, 1955, at 5:30 p. m., e. s. t., request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law if any raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary Securities and Exchange Commission, Washington 25, D. C. At any time after said date said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F R. Doc. 55-1829; Filed, Mar. 2, 1955;
8:50 a. m.]

[File No. 811-532]

PURITAN FUND, INC.

NOTICE OF APPLICATION FOR ORDER DECLARING COMPANY HAS CEASED TO BE AN INVESTMENT COMPANY

FEBRUARY 24, 1955.

Notice is hereby given that Puritan Fund, Inc. ("Puritan") an open-end, diversified, management investment company registered under the Investment Company Act of 1940, has filed an application pursuant to section 8 (f) of the act for an order declaring that it has ceased to be an investment company under the act.

The application makes the following representations:

On October 15, 1954, Puritan, a Delaware corporation, pursuant to a vote of stockholders, effected a merger with its wholly owned subsidiary Puritan Fund, Incorporated, a registered, open-end investment company, and a Massachusetts corporation, pursuant to which merger Puritan Fund, Incorporated, was to be the surviving corporation with its name changed to Puritan Fund, Inc.

The purpose of the merger was primarily to change the domicile of Puritan from Delaware to Massachusetts. Under the terms of the merger agreement the outstanding shares of the Delaware corporation were converted, ipso facto, without any action on the part of the holders thereof, into shares of the Massachusetts corporation. Following effectuation of the merger, Puritan has not engaged in any business and has had no assets.

Notice is further given that any interested person may, not later than March 9, 1955, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F R. Doc. 55-1825; Filed, Mar. 2, 1955;
8:49 a. m.]

[File No. 813-19]

COLONIAL EMPLOYEES MUTUAL FUND,
INC.

NOTICE OF FILING OF APPLICATION FOR EXEMPTION FROM ACT AS EMPLOYEES' SECURITIES COMPANY

FEBRUARY 24, 1955.

Notice is hereby given that Colonial Employees Mutual Fund, Inc. ("Colonial Fund") has filed an application, and amendments thereto, pursuant to section 6 (b) of the Investment Company Act of 1940 ("act") for an order exempting it as an employees' securities company from all of the provisions of the act, or, in the alternative, exempting it from the following sections of the Act and rules promulgated thereunder: Section 7, section 8, except that the information called for by items 3, 4 and 5 of Form N-8B-1 shall be filed and there shall also be filed reports to the Commission of any changes thereafter made in respect thereof, section 10 (a) section 14, section 17 (f) section 20 (a) section 23 (b) and (c) section 30, except that no exemption from the provisions of section 30 (f) and the rules thereunder is sought and except that annual reports pursuant to section 30 (d) will be prepared and transmitted in accordance with the provisions of Rule N-30D-1 and section 32 (a)

Colonial Fund was incorporated under the laws of the State of New York in September, 1954. The authorized capital stock of Colonial Fund consists of 20,000 shares of capital stock of the par

value of \$1 each. There are 92 shares of capital stock presently outstanding, sold at \$10 per share, all of which are owned by employees of Colonial Airlines.

Colonial Fund proposes to issue and sell its capital stock only to the employees of Colonial Airlines, Inc. The Certificate of Incorporation of the applicant contains special provisions permitting it to repurchase the stock of any employee who leaves the employ of Colonial Airlines or who desires to sell his stock in the corporation.

The applicant has not paid and will not pay any commission on the sale of its securities. It has not employed and does not contemplate employing any underwriter or salesman for the purpose of selling these securities and the entire sales price less the Federal original issue tax will be available to the applicant.

The principal purpose for which Colonial Fund was organized was to create a closer relationship between Colonial Airlines and its employees through the medium of stock ownership. The organizers of Colonial Fund also wished to provide a vehicle by which the small investments of many employees could be consolidated for the advantage of all the employees. Colonial Fund has purchased ten shares of the stock of Colonial Airlines and will at all times maintain an investment in the stock of Colonial Airlines. Investments may be made in other securities selected by an Investment Committee to be appointed by the Board of Directors of the Fund.

No securities will be purchased on margin by Colonial Fund and the company will not participate on a joint basis in any trading account in securities nor will it effect any short sale of any securities.

The Board of Directors of Colonial Fund will be elected annually. The Certificate of Incorporation provides for cumulative voting, the purpose being that each craft of employees participating in the Fund would be entitled to representation on the Board of Directors. The directors, officers and the investment advisers of the Fund shall all serve without compensation.

Section 6 (b) of the act provides that upon application by an employees' security company the Commission shall by order exempt such company from the provisions of the act and of the rules and regulations thereunder, if and to the extent that such exemption is consistent with the protection of investors. In determining the provisions to which such an order shall apply the Commission shall give due weight, among other things, to the form of organization and the capital structure of such company the persons by whom its voting securities, evidences of indebtedness, and other securities are owned and controlled, the prices at which securities issued by such company are sold and the sales load thereon, the disposition of the proceeds of such sales, the character of the securities in which such proceeds are invested, and any relationship between such company and the issuer of any such security.

Notice is further given that any interested person may not later than March 10, 1955, at 5:30 p. m. submit

to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed. Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F R. Doc. 55-1826; Filed, Mar. 2, 1955;
8:50 a. m.]

[File No. 817-19]

AMOSKEAG CO.

NOTICE OF FILING OF APPLICATION FOR
ORDER PERMITTING THE PURCHASE OF
COMMON STOCK BY ISSUER

FEBRUARY 24, 1955.

Notice is hereby given that Amoskeag Company ("Amoskeag") a closed-end, non-diversified company registered under the Investment Company Act of 1940, has filed an application pursuant to section 23 (c) (3) of the act and subdivision (c) of Rule N-23C-1 promulgated thereunder, for an order permitting the purchase by it of 3,511 shares of its own common stock from Dumaines, a New Hampshire trust and an affiliated company of Amoskeag.

Amoskeag is a voluntary association established under the laws of the State of New Hampshire pursuant to a Declaration of Trust, as amended, dated September 29, 1911, and having its principal place of business at Boston, Massachusetts. Article III of the Declaration of Trust, as amended, establishing Amoskeag provides that the beneficial interest in the trust shall be represented by 115,200 preferred shares and 345,600 common shares. There are now outstanding 46,987 preferred shares entitled to a cumulative semi-annual dividend at the rate of \$4.50 per annum. The dividends on the preferred shares are not in arrears. There are also outstanding 89,911 common shares, and 255,689 common shares are held by Amoskeag as treasury shares.

Upon securing appropriate tax rulings, Amoskeag proposes to purchase from Dumaines, 3,511 of its own common stock, preliminary to the distribution by it of 3 shares of its common stock to the holders thereof for each share held.

Upon purchase of such shares, Amoskeag will distribute 259,200 common shares to its common shareholders on the above basis so that each holder will then have four shares of common stock for each share now held. A total of 345,600 common shares will be outstanding after the distribution. Amoskeag states that the purpose of the proposed

distribution is to improve the marketability of the shares.

Amoskeag states that it cannot conveniently achieve the desired result without the repurchase of the 3,511 shares from its shareholders for the reason that no shares in excess of 345,600 common shares now authorized can be issued without the consent, pursuant to Article III, section 6 of its Declaration of Trust, as amended, of two-thirds of the preferred shareholders and a majority of the common shareholders. However, the trustees have power to reissue shares up to the authorized amount pursuant to Article I, section 4, of said Declaration of Trust, as amended.

Amoskeag proposes to purchase all 3,511 common shares at a price of \$127 per share or an aggregate consideration of \$445,897 from Dumaines. Dumaines is an affiliated company of Amoskeag by definition under section 2 (a) (3) of the act, by reason of the fact that it owns 27,500 common shares of Amoskeag, which exceeds 5 percent of the voting shares of Amoskeag.

Applicant submitted data showing that the market price of its common shares in January 1955 was within a range of \$210-\$225 per share and that it has sold in excess of \$127 per share since May 1954. Hence, the proposed purchased price of \$127 per common share is far less than the amount at which such shares could be purchased on the open market. It is also represented that the supply of the common shares is so limited that the purchase of 3,511 shares on the open market would be extremely difficult.

Section 23 (c) (3) provides, in pertinent part, that no registered closed-end company shall repurchase any of its securities except as the Commission may permit by rules and regulations or order for the protection of investors in order to insure that such purchases are made in a manner or on a basis which does not unfairly discriminate against any holders of the class or classes of securities to be purchased. Rule N-23C-1, which was promulgated pursuant to section 23 (c) of the act, permits a registered, closed-end investment company to purchase its outstanding securities provided certain conditions are met. Since Amoskeag did not pay out 90 percent of its earnings in dividends in the period 1954 to date (having paid out 85.2 percent of its earnings) since the proposed seller of the shares is an affiliate of the issuer and since no statement of intention to purchase stock was transmitted within the preceding six months to shareholders generally three of the conditions of the rule have not been met. Hence Amoskeag is required to file this application for an order under section 23 (c) (3) of the act to permit the proposed purchase.

Notice is further given that any interested person may not later than March 8, 1955, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be

notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F R. Doc. 55-1827; Filed, Mar. 2, 1955;
8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 30303]

IMPORT BURLAP BAGGING FROM NORTH
ATLANTIC AND CANADIAN PORTS TO CER-
TAIN STATES

APPLICATION FOR RELIEF

FEBRUARY 28, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and C. R. Goldrich, Agents, for carriers parties to schedules listed below.

Commodities involved: Burlap bagging, carloads.

From: North Atlantic and Canadian ports.

To: Specified points in Minnesota, Wisconsin, Illinois, Missouri, Indiana, Ohio, and Kentucky

Grounds for relief: Rail competition, circuitry to maintain grouping, and port competition.

Schedules filed containing proposed rates: C. W. Boin, Agent, I. C. C. No. A-1017, supp. No. 10; C. W. Boin, Agent, I. C. C. No. A-1034, supp. No. 11 C. R. Goldrich, Agent, I. C. C. No. 591, supp. No. 156 C. R. Goldrich, Agent, I. C. C. No. 604, supp. No. 51, R. B. LeGrande, Agent, I. C. C. No. 238, supp. No. 146 R. K. Watson, Agent, I. C. C. No. 118 (re-issue of CFA Tariff No. 47)

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD,
Secretary.

[F R. Doc. 55-1833; Filed, Mar. 2, 1955;
8:52 a. m.]

[4th Sec. Application 30304]

BITUMINOUS FINE COAL FROM ILLINOIS AND KENTUCKY TO MITCHELL AND PUTNEY, GA.

APPLICATION FOR RELIEF

FEBRUARY 28, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedules listed below. Commodities involved: Bituminous fine coal, carloads.

From: Mines in southern Illinois and western Kentucky.

To: Mitchell and Putney Ga.

Grounds for relief: Rail competition, circuitry, market competition, and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. 1414, supp. 18; Illinois Central Railroad Company, I. C. C. No. E-1860, supp. 47.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F R. Doc. 55-1834; Filed, Mar. 2, 1955; 8:52 a. m.]

[4th Sec. Application 30305]

CAUSTIC SODA FROM BATON ROUGE AND NORTH BATON ROUGE, LA., TO QUINCY, ILL.

APPLICATION FOR RELIEF

FEBRUARY 28, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent W P Emerson, Jr.'s tariff I. C. C. No. 417.

Commodities involved: Caustic soda, in solution, in tank-car loads.

From: Baton Rouge and North Baton Rouge, La.

To: Quincy, Ill.

Grounds for relief: Competition with rail carriers, circuitous routes, and market competition.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F R. Doc. 55-1835; Filed, Mar. 2, 1955; 8:52 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

SIBYLLA PULVERMANN ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Sibylla Pulvermann, Jutta Pulvermann and Armgard Pulvermann, Westensee near Kiel, Schleswig-Holstein, Germany, Claim No. 43076; Vesting Orders Nos. 1220 and 7745; \$64,083.11 in the Treasury of the United States, to the claimants.

The following property to Jutta Pulvermann and Armgard Pulvermann, in equal shares, subject, however, to a life estate therein of Sibylla Pulvermann: One hundred (100) shares of Canadian Pacific Railway Company capital stock, par value \$25, evidenced by Certificate No. 159940, presently in the custody of the Safekeeping Department of the Federal Reserve Bank of New York, New York, N. Y.,

Three hundred twenty-four (324) shares of Markt & Schaefer Company common stock, evidenced by certificate numbered 17 for 108 shares and 18 for 216 shares, presently in the possession of the Office of Alien Property, Department of Justice, Washington, D. C.,

An estate for life in and to the above-described stock of Canadian Pacific Railway Company and Markt & Schaefer Company to Sibylla Pulvermann.

Executed at Washington, D. C., on February 23, 1955.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F R. Doc. 55-1842; Filed, Mar. 2, 1955; 8:54 a. m.]

MRS. JOHANNA CATHARINA BARKEIJ
(BARKEY)

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Mrs. Johanna Catharina Barkeij (Barkey), Perth, West Australia, Claim No. 62815; property described in Vesting Order No. 671 (8 F R. 5004, April 17, 1943), relating to United States Letters Patent Nos. 2,127,079 and 2,199,276.

Executed at Washington, D. C., on February 25, 1955.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F R. Doc. 55-1843; Filed, Mar. 2, 1955; 8:54 a. m.]

SOCIETE ANONYME DE GESTION ET D'EXPLOITATION DE BREVETS—SAGEB

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Societe Anonyme de Gestion et d'Exploitation de Brevets—SAGEB, Fribourg, Switzerland, Claim No. 40438; \$178,466.00 in the Treasury of the United States.

Executed at Washington, D. C., on February 23, 1955.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director
Office of Alien Property.

[F R. Doc. 55-1844; Filed, Mar. 2, 1955; 8:54 a. m.]